Sardar Hukam Singh

Speaker, Lok Sabha

[Elected April 17, 1962]

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Election of New Speaker

PRIME MINISTER'S FELICITATIONS AND SPEAKER'S REPLY

[On April 17, 1962 the Lok Sabha, meeting for the second day after the third General Elections, unanimously elected Sardar Hukam Singh as the Speaker of the new House. After the new Speaker had been conducted to the Chair, the Prime Minister and Leader of the House (Shri Jawaharlal Nehru) offered felicitations to him on his election to the high office. This was followed by congratulatory references, on behalf of the different sections of the House, from Seth Govind Das, Shri A. K. Gopalan, Shri Surendra Nath Dwivedy, Shri Ram Sewak Yadav, Shri U. M. Trivedi, Shri C. L. Narasimha Reddy, Shri K. Manoharan, Shri B. P. Maurya and Shri Buta Singh. We reproduce below the Prime Minister's speech and the Speaker's reply to the felicitations—Editor.]

PRIME MINISTER

Mr. Speaker, Sir, may I on my own behalf and on behalf of this House offer you our respectful congratulations and felicitations on your occupying this high Chair? In congratulating you, I am not quite sure whether it will not be more fitting for us to congratulate ourselves on this occasion because this is an occasion which is a particularly happy one for all of us who are Members of this House and who have therefore chosen you unanimously to this high post. As a matter of fact, you have not come to this Chair unknown to us or little known; we have seen you functioning in that Chair for considerable time past and so it is with the assurance of past knowledge that we welcome your election today.

It is not merely a question of choosing a good and worthy person for this high office; it is something more than that because you represent more than any of us here in this House the dignity of this House, the combined wisdom of this House, and so much else. This House represents a very great deal in this country; it represents the people of India. It is indeed the House of the People and behind it lie not only fifteen years or so of history, of concentrated history of India during which much has been done, but also the long traditions, some even of this country and some of other countries representing parliamentary Government. During that history the representatives of the people have fought privilege, have fought kindly power and have fought all kinds of other attempts to curb the people's sovereignity till at last sovereignty was established fully.

So, we meet here in that long tradition representing the final and ultimate sovereignty of the people of India, and you, Sir, are the custodian not only of the dignity of this House but also of the sovereignty of the people of India.

India is a country of manifold variety, a great country with great traditions in the past which is setting out into new fields. It has people who differ in their religions and their customs, and there are people who are called minorities and the

like. This House had a great task, if I may use the word, of moulding them into a single entity, that is India, that is the people of India, maintaining at the same time their own special features, and this House gives them every opportunity to protect them and to cherish those features, yet finally preserving the unity of India.

So, we have had in our general life, and more especially in this House, to face this great question of the people of India maintaining their rich diversity and, at the same time, their essential unity by which alone they can progress and maintain the real sovereignty of the people, because sovereignty comes not merely from each person asserting his right but of each person recognising the right of others and thereby maintaining the common rights of all.

So, at this moment, when you have taken this Chair as the guardian of the rights of this House and therefore the guardian of the rights of the millions of our people, not only do I welcome you, on behalf of this House, to this Chair but I welcome the very institution of which you are the head today. It is an institution which requires a certain maturity in the people when it is adopted. Ultimately, every institution flourishes because the people who are concerned with it are mature enough and use it to the best advantage. Ultimately, it is the quality of the people that counts. It is for history to show how we have functioned during the last so many years since we became an independent nation, how this House, this Parliament, has functioned during these years. It may be that history already, during this relatively brief period of 15 years or a little less, has passed its judgment on this path of our national career. But, anyhow, we meet here in this new Parliament after the elections on a colossal scale which have drawn the attention and the admiration of other parts of the world.

I think it may be said that this system of parliamentary government has eminently succeeded in this country and has not only succeeded in the particular way it has been functioning here, but is spreading out into the villages and the multitude of our people that live in this country. It has succeeded not merely by copying other methods. We have indeed adopted some methods of some other countries, their rules and regulations, but essentially we have tried to make them our own, and we have varied them in our practice and functioning, and we have adopted them with such variations as suited our own genius, thus making this system of parliamentary government our own, something fitting the genius of India and the long traditions of India. I hope that, in the future, we shall not only adhere to this basic system but not be afraid of varying it in minor matters to suit the genius of our people—essentially it means the sovereignty of the people.

The long traditions behind the parliamentary government, of struggles against the usurping power, and the privilege and authority sitting on the rights of the people, come up before me on this occasion. Fortunately, we have passed those struggles in this country and the only principle we recognise here is that of the sovereignty of the people, of the individual dignity of very Indian, not of caste, not of any other privilege which gives power and authority to the individual. Privileges exist in this country as in many others, and sometimes privileges without the slightest justification. But we do not recognise, I hope, the rightness of those privileges and gradually they will fade away in this country even as the individual rises and gains what is his rightful due.

So, all this past history comes up before me, a history which is full of struggle and full of triumph for the individual in various countries and in our country too, a history which has established the right of national freedom and individual freedom. You, Sir, if I may say so, in your high office, are the protector of these freedoms and, as such, we look to you for this protection whenever privilege intrudes itself and tries to profit by some special position or special office that it may have.

I can assure you on behalf of this House that we shall loyally carry out your decisions and your directions to us and if ever we err we shall also loyally submit to any punishment that you may give us.

On behalf of this House, Sir, I welcome you to this high office.

MR. SPEAKER

I feel overwhelmed with gratitude and, when emotions overpower, thoughts do not come to one's mind and one fails to express how he feels. Very nice sentiments have been expressed and feeling references made about me. I am grateful to the House for having conferred this distinction on me. References have also been made about my work as Deputy Speaker here.

When I just recall my career in this House, I am rather surprised that, as compared with those giants that are here. I feel I am a new member. I entered this House only in April 1948. Before that I have not had the benefit of being even a member of any local body. When I came here and found members like Seth Govind Das, those who have been here for more than a generation, I felt myself really very humble.

As for my work as Deputy Speaker, I am grateful that hon. Members have referred to it in such nice terms. I was expected to be impartial and judicial. I tried to be so. But, I am sure, I must have made mistakes, I must have faltered. But, then too, I have the satisfaction that even when I failed, I got the affection, generosity and indulgence of this House, and that sustained me all through the work that I could do here.

The present moment is really a great occasion in my life. When I first read passages in the books that when a Speaker is elected he has to be led by the leaders in the House to the Chair, I could not exactly appreciate what it meant. But now I realise the significance of it. When the suggestion about my election was first made, I felt nervous for I knew how feeble I was and how great were the responsibilities attached to this high office, as has been mentioned here. I felt diffident whether I would be able to discharge all those obligations. But, then, there is one consolation. When the leaders of the groups—the Leader of the House as well as the Leader of the Opposition—lead the Speaker-elect to the Chair, there is the guarantee that they give that they pledge full support of the House, all sides of the House, to the Speaker. I take shelter under that.

When I compare myself with those mighty giants that have come before and occupied this Chair, there is really trepidation in my heart. When I find Shri Vithalbhai Patel before me and the traditions that he established and compare myself with him or with others that have come after him, certainly I feel nervous. But during the last six years that I have worked here as Deputy Speaker—as presiding officer—in

this House, I have happily found that there has always been indulgence shown to the presiding officer and every section of the House had extended to me its unstinted support. I at least have been lucky in that respect, and I cannot recall even one occasion when that generosity and broad-heartedness was denied to me. Today a great responsibility has been thrown upon me. Of course, it is one of the highest offices of the land that has been conferred on me. When I think of the dignity of this office, certainly I feel elated that destiny has brought this to my shoulder. But when I recall the obligations that are attached to it, then, again I have to fall back upon the indulgence and the generosity of the House.

References have been made by some of the members on my left that I should safeguard the weaker interests—weaker in numbers, not in physical strength, I suppose—that I should safeguard the interests of the weaker sections, of the minorities. Of course, that would be my job. I would take it upon myself to see that they do not feel that they have not had a fair deal on that account. Of course, in a democracy decisions have to be taken by the majority; otherwise, the work would not move. The majority must have its way ultimately, but it is deliberation, persuasion and then decision that should be the ordinary course by which we should proceed. I am sure that we will be able to uphold the traditions that have been established, the conventions that have been made by eminent Speakers who have occupied this Chair; rather we will try to carry further the torch that has been handed over to us by destiny at this moment.

Democracy has taken roots here. Foundations have been laid well. A great edifice is being built on it. Ours is a great responsibility at this moment. We have to carry forward all those burdens. Certainly, we might differ in our viewpoints but the goal is the same.

Yesterday and today we have taken the oath, have sworn to abide by the Constitution. There we have pledged to secure to all citizens of this great country justice, social, economic and political, and to afford to them equal opportunities. I am convinced that every one of you has come here enthused with vigour, keenness and anxiety to achieve that goal.

Our ways might differ, but when the goal is the same we will have many occasions to work together and to work in harmony. But in economic, political and other matters, differences must arise. They are concomitant of democracy and of free thinking. We may have that difference of opinion. We may have those deliberations and conflicts as well. But my only request would be that when those occasions arise, as sportsmen, if victory comes we should take it with humility and if defeat is the lot that should be accepted without bitterness. There ought not to enter any rancour in our deliberations and discussions.

I am expected to be impartial and judicious. I assure you that to the best of my ability I will try to do that and if ever I fail in that attempt it should not be construed that there was any deliberate attempt on my part to go astray from the right track that I have put before myself, but that it might be due purely to my natural limitations.

So far as this opinion that I should belong to no party is concerned—one or two hon. Members have expressed that—of course, I assure you that so long as I occupy the Chair you would not get the impression that I belong to any party or to any group at all. It would

be my endeavour that justice is even-handed, balanced and is given to everyone on merits. But to err is human. If I make mistakes sometimes and it is believed that the decision is not correct, of course, as I have assured you, it would not be out of any dishonesty or any wilful act to go astray. I hope that you will also take a broader view of it and show me the indulgence that I have been getting so far.

With these objectives that we have placed before us, namely, to raise the status of the common man and to bring relief to our millions, as has been expressed just now on the floor of this House, we take our pledge now to move forward. The one pledge that I can take in the end is that I will always try to be a servant of this House. This service would give me pleasure and even pride. I will be striving for that continuously. I hope that when I get the cooperation and assistance in that respect, we will be able to march forward and be able to build on the foundations of democracy, that we have laid, more and more sound structures so that this greatest democracy in the world might be a model for others as well.

I thank all hon. Members of all sections. I assure you that I will try to protect the rights and privileges of hon. Members individually as well as of the House collectively as is expected of me. I take up this job in a prayerful mood. May God give me strength to rise to the occasion.

My notion of democracy is that under it the weakest should have the same opportunity as the strongest. —MAHATMA GANDHI.

Second Lok Sabha

VALEDICTORY REFERENCES BY SPEAKER AND PRIME MINISTER

[*At the close of business on March 30, 1962, the last day of Second Lok Sabha, Shri M. Ananthasayanam Ayyangar, the outgoing Speaker, made valedictory references in the House. The Prime Minister and Leader of the House, Shri Jawaharlal Nehru, in his reply on behalf of the House paid a tribute to the retiring Speaker. We reproduce below the two speeches made on the occasion*—Editor.]

MR. SPEAKER

Mr. Prime Minister, and Members of the Lok Sabha, this is the last day of the Second Lok Sabha. We have completed the proceedings today. Before the House is adjourned *sine die*, I wish to express my grateful thanks to the hon. Members of this House for the kind co-operation that they gave me in getting through our work during all these years harmoniously.

In particular, I must thank the hon. Leader of the House for his kind goodwill towards me throughout. His great regard for parliamentary democracy, for parliamentary procedure and conventions has been a source of strength to all of us. He is one of the tallest men of the present day, if not the tallest. It is our good fortune and the good fortune of the country and the Parliament that the leadership has been entrusted to his hands.

I am equally thankful to the Leaders of the various Opposition Groups and other Members on both sides of the House for having contributed in no small degree to the successful functioning of the Second Lok Sabha. It is a pity that the Leaders of the various Groups, or most of them, are absent, and will be absent from the next Parliament.

I am thankful to my hon. friend the Hon. Deputy-Speaker, the Panel of Chairmen, and the chairmen of the various committees, and all the officers of the Lok Sabha for having worked with me in a harmonious relationship and contributed to the growth of democracy.

Freedom itself was won in a unique manner in our country from a mighty Empire by peaceful means without shedding a single drop of blood. We have achieved this by bringing about unity among all sections of our country. There are, unfortunately, fissiparous tendencies rearing up their heads here and there now. Emotional and other integration is, therefore, the need of the hour.

Following closely upon our success in our struggle for freedom, other countries in Asia and Africa have also become free. As in the case of fighting for freedom, we are making a unique experiment in democracy also in this country. We have adopted the parliamentary system of Great Britain and adapted it to a federal structure. Many conflicts can easily arise between the States and the Centre. We have in this Parliament

been able to resolve all such conflicts and have allowed autonomy to the States to grow consistent with strength in the Centre.

Parliament has also been vigilant in the discharge of its duties in maintaining and safeguarding the Constitution. Though in a few cases now and then it had to assume charge of the government of States, it tried to avoid doing so as far as possible. When a conflagration was likely to occur and there was a likelihood of the constitutional machinery breaking down, Parliament handled the situation carefully by entrusting the Speaker with the task of appointing a Committee of Members of Parliament to investigate and report to the House the causes for that conflagration, the situation then and the remedies to be adopted to avoid a recurrence. The supervisory jurisdiction of Parliament was exercised with great caution and the autonomy of the States was never interfered with.

Further, to spread the spirit of democracy decentralisation of power has been undertaken and the panchayat raj, as it is called, has proved successful. We are glad to see that parliamentary practice and procedure is adopted to a large extent in the deliberations of the panchayat samitis and zilla parishads.

Three elections have gone off successfully and peacefully in our country and the voting strength has been steadily increasing during these three elections. During the last elections, in February 1962, as many as 210 millions were the voters and 60 to 70 per cent went to the polls, and there was not a single unhappy incident. The elections revealed that the Parliament is a truly representative body having representatives drawn from all shades of political thought.

In the membership of the Second Lok Sabha, the youngest Member was 25 years old and the oldest 73; the average age worked out to 46 years. The new entrants numbered 263 in membership with an average age of 42 years. In the Second Lok Sabha, lawyers constituted 30 per cent of the Members, agriculturists 29 per cent; the percentage of traders and industrialists was 10 and that of teachers 11. There was a happy blending of the old with new and the vigour of the youth combined with the experience of the older members.

We have passed as many as 325 Government Bills. As many as 70 private Members' Bills were discussed. The most outstanding enactment in the field of agriculture during the Second Lok Sabha seems to be the Delhi Land Ceilings Act. In the field of social legislation, the anti-dowry Act was the most outstanding one. For the first time in the history of our Parliament, we had a joint sitting of both the Houses on that Bill.

The increasing amount of interest taken by Members on matters of public importance pertaining to various governmental activities has been reflected in the number of questions that has been tabled. The total number of questions admitted during this period was 63,641. 107 half-an-hour discussions were also held. I must congratulate all on having strengthened democracy in our land and made it the object lesson for others to copy. In the words of President Eisenhower, who addressed a mass gathering in the Ram Lila Grounds, our democracy is the foremost democracy in the world, and even the USA comes only next to it. We must, however, be very careful in dealing with this delicate mechanism as in all parts of Asia and even in some States in Europe, democracy has since become a casualty.

During these five years, I have constantly attempted to enhance the power and prestige of Parliament and make it the supreme forum for the expression of the people's will. I hope and trust that in the years to come, our Parliament will be a model for others to copy not only in our land, but in the rest of the world as well.

It must be said to the credit of the Government that during this period, we have added to our territory by the acquisition of Goa.

In the field of economic activity, we have successfully gone through the Second Five Year Plan and have embarked upon the Third. I hope that the Third one will also be equally successful and that Parliament and every Member thereof will contribute his mite to national consolidation and to the growth of economic prosperity.

Let us remember that in addition to having won freedom by peaceful means, we have liquidated the Rajas and Maharajas equally peacefully. We have also removed the zamindari system peacefully; and we have introduced the socialist pattern of society peacefully. Our contribution, therefore, not only to ourselves but to the rest of the world, is the message of peace. Let all the proceedings in Parliament be conducted with decorum and absolutely peacefully. That is the one thing that we can contribute to the rest of the world.

I thank you once again for the hearty cooperation that you gave to crown the activities of the second Parliament with success and benefit to the community.

THE PRIME MINISTER

Mr. Speaker, Sir, on behalf of the House I venture to offer you our grateful thanks for what you have said. But, it is something more than that. We have become accustomed to you for so many years as the Speaker of this House that if we speak of the Speaker, inevitably your picture comes before our minds; and it will continue to come whether someone else occupies this high office or not. You have been Speaker here at a very important and formative period of our Parliament; and we have learnt much from you; and sometimes taken mild exception—though, naturally, it has to be a silent exception—to what you decided.

Democracy, as you have just now said, is the hallmark of India at present. But democracy does not consist of 210 million people voting. Democracy, ultimately, is a way of life, a way of reacting to circumstances, a way of thinking and a way of putting up with the things we dislike even. And, I think, on the whole, we have done fairly well. I cannot say that we have not erred. That would be too much to say. But, considering everything, we have done rather well; and considering the state of the world today when every other day we read about *coup d'etats* in various countries, it is surprising how we have carried on in our normal way.

We come here at 11 o' clock and you are in the Chair; the Marshal announces that you are coming; we stand up to respect you and you take up questions and so the conventions go on. There is something in convention; something in the repetition of a certain procedure. It shows a certain stability; it shows what is going to come next. And so, we have functioned in this way and, presumably, we shall continue to function in this way. In this matter, you Sir, and your predecessor Shri Mavalankar, have laid down these conventions and moulded them. And, we are, therefore, very grateful to you for this.

It may be that this is the last time that you preside over Parliament as Speaker. It is always a little difficult to say words of parting. Parting cannot be, of course, because, whatever high office you may occupy, you will be near us; you will be working for the same cause for which you have worked throughout your life. Only you will be working in a different way. Still, we have become so used to your sitting in that high Chair that we shall miss you very greatly and miss even the things which we, in private, sometimes criticised, because whatever you have done here you have done in good will and friendship, meaning ill to none in this House and that is an important thing. Whenever we shall think of Speakers, your name will always come up before us, first of all. And so all we can do now is to offer you our thanks and our congratulations on your period as a Speaker of this Parliament and to hope that you will continue to serve the cause that you have at heart, and we have at heart, for long years to come and to hope that your successor, whoever it might be, when the time comes for him also to retire from that high office, would also carry the abundance of goodwill such as you are doing. So, on behalf of this House, I wish to convey to you our good wishes for the future and our hope that you will be long spared to serve the country and to co-operate with us in Parliament or elsewhere in the great works we have undertaken. You have mentioned some of these in your closing remarks. They are no doubt very big tasks. The mere size of India makes whatever we do big. But what is more important is the quality of what we do and I believe that whether we may have erred or not now and then, we have aimed at quality and if we have not succeeded in the full measure that we would like to succeed, we have succeeded in a fair measure and in the world as it is today that success is something to be proud of. So, we shall have with us your good wishes and if you are not sitting in that Chair, I have an idea that your shadow will be somewhere near about it, guiding us, and wherever you may be, you will be thinking of how the Lok Sabha is functioning.

I hope, Sir, that these few words that I have said—they are simple words and I have not endeavoured to say anything in rich language—will convey to you the warmth of feeling and warmth of heart that goes with it, not only of some of us but of all of us here. And I hope that you will, whatever high office you may adorn, keep the ideals you have had before you and train our people to live up to them.

So, Mr. Speaker—perhaps for the last time I address you as Mr. Speaker, it is rather sad. Every kind of parting has an element of sadness in it. It breaks continuity. As they say in a French saying, to part is in a sense to die a little. We die, put an end to something, and so, in a sense, we are putting an end to a phase of our existence which has stood up because of your presence here as Speaker.

We shall go on, of course, because men may come and men may go, but Parliaments and countries go on. That is how we have looked upon it. Individuals count, but ultimately, it is not the individual but the nation or the institution that counts. We shall go on, and others will come after us. But, I think, whoever may come after us will remember this period of our early years and you, our guiding spirit, Mr. Speaker.

Short Notes

Parliamentary Exhibition

An exhibition depicting the activities of the Second Parliament was inaugurated by Shri Ananthasayanam Ayyangar, Speaker, Lok Sabha, at the Reception Hall of Parliament House on the 26th March, 1962. The exhibition was organised by the Lok Sabha Secretariat and was held from the 26th March to the 1st April, 1962.

The exhibits consisted of graphs, charts, photographs and coloured slides depicting various spheres of Parliament's activities *viz.* legislative and financial business, questions, Committees etc. Photographs of foreign Parliamentary delegations which visited India and of Indian Parliamentary delegations which went abroad were also on view. Other exhibits of interest included panels depicting some salient aspects of the Constitution and photostat copies of certain historical documents showing the growth of Legislatures in India. Films of Parliamentary interest were also screened during the evenings.

The exhibition attracted more than 10,000 visitors among whom were ministers, Members of Parliament, high Government officials, students and the members of the Rumanian Parliamentary delegation who were in Delhi at that time.

A Souvenir on the activities and achievements of the Second Lok Sabha was also brought out on the occasion and distributed to dignitaries, Members of Parliament and the Press.

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Visit of Rumanian Parliamentary Delegation to India

A 11-member parliamentary delegation from Rumania led by Mr. Stefan Nicolau Vice President of the Grand National Assembly of Rumania, visited India in March-April, 1962. Besides Delhi, the delegates were taken to a few other places of cultural and industrial importance in the country. Their itinerary included Bombay, Ahmedabad, Ballabgarh Community Development Block, Agra, Bhakra-Nangal and Chandigarh.

The delegates watched the proceedings of Parliament on the 29th March. The same day the Chairman of Rajya Sabha and the Speaker of Lok Sabha gave a dinner in Parliament House in honour of the delegates.

The Role of Opposition*

by

SARDAR HUKAM SINGH,

Speaker, Lok Sabha

The main role of an opposition is to oppose. A representative government is necessarily a party Government. Whenever there is a government party there must be an opposition also otherwise there is no democracy. The dictator destroys all parties except his own. The only alternative to party government is dictatorship.

Democracy implies freedom of thought and speech. In a totalitarian State one point of view is chosen by the government and no other can be expressed. The ordinary man becomes a machine and he has to accept what is presented to him. In a democracy all points of views are expressed and put before the people who are free to choose what they think is most desirable. As there must always be at least two points of view on every subject, there would be at least two parties in any democratic State. The majority shall govern and minority shall oppose, criticize and even obstruct.

Although the party in power and the opposition seem to be two hostile factions, there must exist between them an understanding about the fundamentals of democracy. Majority decisions must prevail. The opposition can seek power to effect the changes it desires but it cannot seek power by means which may result in the annihilation of democracy. The doctrine of resolution by violence would be fatal to democracy. Since the decisions are taken only after a free and frank discussion, the majority would not be justified in stifling criticism. The party in power must find time for such items as the Opposition is keen to discuss. But the Opposition is not expected to put meaningless obstructions in the way of every proposal.

Splinter Groups

We have adopted the British parliamentary system in our Constitution substituting an elected President in place of the Crown. There happen to be only two main parties in the British Parliament, though it may have been the result of accident rather than design. But it has several advantages. First, this enables the electorate directly to choose its own government, whereas in the multiparty system the choice of government is left to the elected representatives. Secondly, in a two-party system, the responsibility for action is fixed on a definite group which has been returned in a majority. The multi-party system either makes for a coalition government or a minority government which is liable to be weak and ineffective as was the case in Kerala when the Praja-Socialist Party was allowed to form the government and the Congress supported it.

The first opposition in independent India was formed in 1950 under the leadership of Prof. K. T. Shah. It had

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only 14 members. Its purpose was mainly corrective as it had no basic differences with the Congress though it tended towards the Left. But the real Opposition came in 1952 after the general elections under the new Constitution. The Communists were the biggest group and the Socialists came next. Dr. Syama Prasad Mukerjee collected several splinter groups and formed a Democratic Party of almost the size of the Communists, but this group disintegrated. There were some who united themselves under the leadership of Mr. Tulsidas Kilachand but they had no programme or policy to execute.

Election Prospects

All these functioned as Opposition groups for five years. But none could be recognized as the Opposition Party. The late Mr. Mavalankar, while refusing such recognition, had laid down that any group, before being recognized as a regular opposition party, must have at least the minimum required to constitute the quorum in the House. It must be a coherent group inside the House and must have fought the elections on the basis of a definite programme. Even after the next general election, there is no likelihood of any group being recognized as a regular Opposition Party. The Communist Party and the P-SP might be able to satisfy other conditions but they do not possess the requisite strength.

But in spite of this handicap the Opposition has not fared badly during these years. The Government and the Opposition worked together in arranging the business of the House. In the Business Advisory Committee decisions were taken unanimously. Seldom was there any occasion when the ruling party hustled any business by the sheer force of numbers. Discussion was allowed on all subjects whenever the Opposition asked for it. The Opposition also acted responsibly in not obstructing the business whenever there was an urgency for speedy adoption of any motion.

Even with small numbers, and those too divided in several groups, the Opposition in India has been making its presence felt by securing modifications in the rigours of several bills and motions. In the Preventive Detention, Criminal Procedure Code and Hindu Code Bills, many amendments suggested by the Opposition were incorporated. The ruling party has shown a spirit of accommodation and the Opposition a sense of responsiveness. It is a good start and we can be proud of that.

In a developing society the needs of the people are always growing. The best is never reached and hence there is always the opportunity to promise more and do better. Consequently, the Opposition would always be desirable and a necessity.

In India that stage has not been reached when the minority might be considered not only as the Opposition but also the alternative government. Man wants change. He cannot bear with one party for very long. It may be doubted whether any modern electorate under the parliamentary system is prepared, save in very special circumstances, to see the same government in office for a long period. But it is a misfortune that there is no second party yet ready and fit to assume this responsibility. It is both an advantage and a disadvantage for the Congress and the country.

The Democratic Experiment in India— Problems and Perspectives

M. ANANTHASAYANAM AYYANGAR*

We are now on the eve of the third General Elections. We can justly take pride in the absolutely peaceful and orderly manner in which the last two General Elections were conducted to the admiration of one and all. I should say we have on the whole met with success in the working of the democratic machinery over the last nearly fifteen years. But this initial success should not lead us to any complacency. For, still the habit and temper of democracy has to grow in the people. This is not the product of a day but of long cultivation. I say this because there are still present today in our midst certain disruptive forces like provincialism, communalism and casteism which rear up their heads now and again. These evil forces which can shake the very roots of democracy have to be weeded out ruthlessly, if we hope to build ourselves as a nation on sure and solid foundations. There must grow in every citizen a national outlook which transcends the narrow confines of caste, creed and regional frontiers. The vital need of the hour is emotional integration.

Legislators' Role in National Integration

In the task of national integration, a great responsibility devolves on the legislators. For, it is they who make the laws and shape the destiny of the land and it is they who come in vital living contact with the people. Every candidate at an election should first remind himself that he is a citizen of India and approach the electorate in that capacity, as a vital limb of that vast community whose collective voice is heard in the opening words of the Constitution—"WE, THE PEOPLE OF INDIA". Delimitation of the country in constituencies is all a functional and administrative arrangement. A legislator is a citizen of India. When a candidate starts with this consciousness there is no question of his appealing to any narrow sectarian, communal or other parochial loyalties in the process of vote gathering. It is unforunate that communalism has spread further. Even sub-communal passions are exploited for winning elections or getting into power in some States. We should avoid such things at

*The Twenty-Seventh Conference of Presiding Officers of Legislative Bodies in India was held in Lucknow from 27th to 29th December last year. The Conference was presided over by Shri M. Ananthasayanam Ayyangar, the then Speaker, Lok Sabha. The above are excerpts from his address on the opening day of the Conference.— *Editor.*

all costs. It will be a wholesome principle and it will be right for all the political parties to accept that no election should be fought on communal basis, but they should confine themselves to constructive programmes towards the development of the country in educational, social, cultural and economic fields. If elections are fought out on a communal or religious basis, even a good citizen who is otherwise competent to be a legislator may be elbowed out by the communalists. It may be difficult to enact a law to prevent this, and therefore different communities should themselves adopt a standard. Further, a legislator must be competent to be the representative of all sections of the community without distinction of caste, creed or colour, as that is the role he is expected to play to whatever community he belongs. The same spirit should inform every one of his activities even subsequently on his entry into the legislature. I do not say that the interests of his constituency or region should be discarded. But such regional loyalty need not be incompatible with the loyalty to the country as a whole and where it threatens to be so, the regional interests should be reconciled with and, if need be should yield to the overall national good. If a legislator functions in such a plane of consciousness, his stature is bound to grow and thereby the interests of his own region are likely to be better served.

Standing Committees to promote Emotional Integration

I would suggest that to keep up the spirit of emotional integration and to devise methods to receive suggestions and to examine them from time to time and to keep the members of the legislature informed, the Presiding Officers may appoint standing committees of members of legislatures.

Qualities required of Legislators

The quality of democracy thus depends a great deal directly upon the character of the men who fill the legislatures. It is, therefore, of supreme importance that the electorate should choose its representatives wisely and it is the duty of political parties to help it to do so by setting up candidates of ability and character. Even more than this, persons who enter the legislatures must be dedicated souls, men who have a known record of public service. It is not necessary for the ordinary citizen to know all the intricacies of democratic working. What is necessary is that he should have faith in the democratic way. If he is to have this faith, he should be able to feel that the legislature is truly representative of the people's interests and stands as the guardian of their welfare.

No dearth of talent

Whenever I was asked by the public or by any individual about the talents of the Members of Parliament now as compared with those members in the opposition in the Legislative Assemblies in the pre-Independence days, I have always told them that there is no want of talent at present. Whereas the members who came to the legislatures to oppose the then British Government before 1946 were leaders of public opinion and had attained a reputation outside the legislature before they were returned to the Assemblies, the Members of the first and second Parliaments, except for a few, are new. From their very age, they could not have taken part in the freedom struggle. They have good academic career, but they have to build up their reputation inside the Parliament hereafter.

Usefulness of Standing Advisory Committees

While the present day legislators have immense opportunities to acquit themselves well, I feel that very few of them have specialised in particular subjects and could be called experts. Such experience can accrue to them only when they are given opportunities to serve on standing advisory committees to advise the ministers in relation to their work. Such standing committees were in existence at the Centre during the British period for all Departments except Defence and External Affairs. I think it will be good to revive them. The objection raised that these committees might arrogate to themselves power and over-ride the advice of the ministers and make it impossible for them to be responsible to the legislatures seems to be unfounded. I think a trial can be made of such committees so that we can have a set of experts for the various Departments amongst the members both in Parliament and in the State Legislatures.

Plan Committees

While national integration and national consolidation are the needs of the hour, economic content should also be given to the freedom that we have won and for this purpose the Five Year Plans have been undertaken. Before each Five Year Plan was finally adopted, I appointed Committees of members of Parliament to examine the draft Plan and make suggestions with respect to its provisions. The Committees did good work and their usefulness has been acknowledged by the Government.

Now the execution of the Plan still remains and has to be carried through from day to day. The Parliament and the State Legislatures have to exercise control over the expenditure and the proper utilisation of the funds and the execution of the programme both efficiently and economically and within the target periods. For this purpose, I feel that it may be useful to have standing committees for planning appointed by the Presiding Officers from among the members of legislatures who will be constantly studying the progress of the Plan and its execution and report to the legislatures from time to time.

Special Majority for Important Issues

I feel that one of the methods by which the opposition groups and minority interests in particular could be prevented from resorting to direct action is to give them sufficient opportunities for discussion of their grievances in the legislatures. I have noticed that wherever the opposition in the legislature is not strong enough in number to oust the Government, they take to direct action, if their views are not favourably considered on even important issues. A simple rule by majority will not serve the purpose of giving satisfaction to all interests. Opportunities should be given to the opposition to express themselves and the Government should also as far as possible accommodate and accept their suggestions except where it is impossible or impracticable. In the absence of a provision for recall, the question arises whether decision by a bigger majority, particularly in those cases where the people had not been apprised of the particular reform in the party's manifesto, should not be established by convention.

Service Grievances of Individual Officers

In a parliamentary democracy it is vital that the services keep aloof from

politics. Their loyalty to the Government of the day should be above suspicion. It is, therefore, not only desirable but necessary that service grievances of individual officers are not allowed to be agitated on the floor of the legislature. During the last Budget Session of Lok Sabha this matter came up before the House twice—first through an adjournment motion and later on during the discussion on the Demands for Grants of the Ministry of Defence. On both these occasions some Members sought to discuss the grievances of certain individual officers who were alleged to have sought permission to retire as a protest against certain promotions in the Army. I did not, however, permit the matter to be raised in the House. I felt that if cases of promotions and supersessions of individual officers were brought up before the House, it would lead to endless controversy and there would be eternal lobbying by the officers which would result in indiscipline and lowering the morale of the services. I hold the view which I hope will be shared by all of you that, in the interest of discipline, efficiency and morale of the services, grievances and complaints of individual officers regarding promotions, demotions etc. should not be allowed to be brought before the House. If Members genuinely feel that a particular Minister is not following the declared policy of the Government in the matter of promotions and this has given rise to discontentment in any particular service, the proper course is to bring up a censure motion against the Minister concerned.

'Grounds' not part of 'No confidence' Motion

During the Fourteenth Session of Second Lok Sabha, in connection with a motion of no-confidence tabled by a Member, a question arose whether the grounds stated by the Member should be read out to the House by the Speaker. I ruled that a motion of no-confidence need not set out any grounds or charges on which it was based and, even if the grounds were stated, they did not form part of the motion. A censure motion, I held, should on the other hand set out the grounds or charges on which it was based. To my mind, there is a clear distinction between a censure motion and a motion of no-confidence. The reason why I refused to read out the grounds in the case of no-confidence motion was that if it were done, it would be unfair to the Government unless they were allowed an opportunity to explain their position and if opportunity was to be given to the Government this would lead to debate on every notice even before it is admitted though it might not be actually commanding the support of the requisite number of members. Under the Rules of Procedure of Lok Sabha, as you know, if less than 50 members rise, the Speaker declares that leave to move the motion is not granted. Further, if once a practice was to be established that charges were to be read out in the House, individual members could make it a routine to mention a number of charges against the Government practically every day without having the least support from any section of the House and unnecessarily gain publicity because it is incumbent upon the Speaker to bring up a no-confidence motion before the House on the same day on which it is tabled. In the case to which I referred my apprehensions proved correct because only 6 members rose in support of the motion and leave to the moving of the motion was ultimately not granted.

Convention re: Introduction of New Members

You may be interested to hear of a new convention which we have set up

in Lok Sabha. I had been noticing that after a member, returned in a bye-election to Lok Sabha, had made and subscribed the oath he quietly took his seat in the House. I thought that when the name of such a member was called by the Secretary, it would be in the fitness of things that he was introduced to the House by the Minister of Parliamentary Affairs. This formal introduction to the House produces a psychological impression on the new comer of being admitted to the membership of an august body and helps to emphasise the importance of his new capacity as a representative of the people. We have been following this procedure since the beginning of this year. This procedure, however, would not be feasible in the case of members returned in a General Election, considering that they would be in large numbers and would be taking their oath practically all on the same day.

Appropriation of Money by Ordinance

I may here refer to an important point of constitutional importance which arose during the last Budget Session of Lok Sabha. The question was whether Governors could authorise payment and appropriation of moneys by an Ordinance. The circumstances leading to the issue were that on the 21st February, 1961, the Orissa State Legislative Assembly was adjourned *sine die* following a statement in the Assembly by the Chief Miniser of the State announcing the intention of the Council of Ministers to resign. The Assembly was prorogued by the Governor of Orissa on the next day. On the 23rd, the Governor of Orissa promulgated an Ordinance authorising payment and appropriation of certain supplementary sums from and out of the Consolidated Fund of the State for the services of the financial year 1960-61. Two days after this, the President issued a Proclamation under article 356 of the Constitution assuming to himself the functions of the Government of that State. The entire question came up before Lok Sabha in the first week of March 1961 in the form of an adjournment motion seeking to discuss the propriety of the promulgation of the aforesaid Ordinance by the Governor of Orissa. It was pointed out that it was not constitutional on the part of the Governor to have authorised payment and appropriation of supplementary expenditure by the Ordinance without placing the Demands before the House and their consideration and passing by the House. The Home Minister stated in th Heouse that even in the view of the Central Government the Ordinance was not valid under the Constitution and upon advice accordingly no money had been drawn by the State Government under the Ordinance. The Minister further informed the House that Government would soon bring up the Supplementary Demands for Grants in respect of Orissa before Parliament for discussion and voting.

A couple of days later, the Finance Minister presented a Statement regarding Supplementary Demands for Grants in respect of the State of Orissa which were then duly discussed and voted by Lok Sabha. The Orissa Ordinance in question was withdrawn by the President and thereafter the Orissa Appropriation Bill was introduced in and passed by Lok Sabha.

Joint Sitting of Houses

In the field of legislation, history was created when for the first time a joint sitting of the two Houses of Parliament was held under the Constitution in the month of May this year to consider and

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pass the Dowry Prohibition Bill. The occasion for the joint sitting was provided by certain amendments made to the Bill by Rajya Sabha to which Lok Sabha did not agree and which were insisted on by Rajya Sabha. A joint sitting was, therefore, called by the President under article 108 of the Constitution to consider the disputed amendments and pass the Bill*.

Questions relating to Corporations

Admission of questions often presents ticklish problems, especially when it concerns autonomous bodies and considerations of the extent of jurisdiction are involved. For instance, a point was recently raised as to what extent questions pertaining to the Delhi Municipal Corporation, a body set up under the Delhi Municipal Corporation Act of 1957, should be admitted.

Some years back certain broad principles to determine the admissibility of questions relating to statutory corporations and Government companies in which Government held either full or majority shares were laid down. In terms of these principles, questions relating to a matter of policy or to an act of omission on the part of a Minister or raising a matter of public interest, although seemingly they pertained to a matter of day-to-day administration, were normally to be admitted. Questions relating clearly to day-to-day administration were to be disallowed. Government sought a clarification as to whether questions relating to municipal corporation like the Delhi Municipal Corporation should be governed by the same principles as were applicable in the case of other statutory corporations. They felt that inasmuch as the Delhi Municipal Corporation was an elected body, information about its functioning could be elicited by means of questions and answers in the Corporation itself and that therefore the scope of questions concerning the Corporation in Lok Sabha should be restricted as far as possible only to policy matters.

Upon reviewing the position in the light of past practices and precedents, I came to the conclusion that the general principles regarding admissiblity of questions laid down with respect to statutory corporations should equally apply to questions concerning the Delhi Municipal Corporation and accordingly questions seeking detailed information or relating to day-to-day administration of the Corporation should be disallowed. At the same time, I also made it clear that the general principles apart, each case should be examined on its merits keeping in view the special position of Delhi as the seat of the Central Government and the interest of members of Parliament in regard to such events and incidents in the Capital as attract wide attention. By and large, subjects like frequent fire accidents, failure of water supply or its contamination, failure of electricity, delays in implementation of slum clearance programmes, progress in the development of greater Delhi according to the Master Plan etc., engage the attention of Members and they expect the Government to furnish up-to-date and authentic information thereon. Such questions will, therefore, normally be admitted.

Representations on State Subjects

I may mention about a new procedure that we have recently adopted with regard to representations ventilating grievances on matters falling within the purview of Sate Governments. Hitherto

* A full-length article on the subject was published in the Oct. 61 issue of the Journal.

such representations were examined by the Committee on Petitions of Lok Sabha and wherever they felt that the grievance was not frivolous they directed that the representations in original might be forwarded to the Chief Secretary to the State Government concerned for disposal. Since most of the State Legislatures have their own Committees on Petitions, it was decided that instead of such representations being placed before the Committee on Petitions of Lok Sabha and then being forwarded to the Chief Secretaries to the State Governments, they should more appropriately be sent, on receipt, to the Secretaries of the State Legislatures concerned, the idea being that such representations should be placed before the Committee on Petitions in the State Legislature which is the proper body for entertaining them.

The Blitz *Case*

I am sure you would all have watched closely the developments in the recent *Blitz* case, which resulted finally in the Editor of a news magazine, for the first time in the history of Lok Sabha, being summoned to the Bar of the House and reprimanded for having committed a gross breach of privilege and contempt of the House. The Press Gallery Card and the Central Hall Pass of the Correspondent concerned had also to be cancelled. The Editor and the Correspondent of the *Blitz* in that case made an attempt, through a writ petition, to get the earlier decision of the Supreme Court in the *Searchlight* case reversed. As soon as Lok Sabha learnt of this, the House adopted a motion that the Attorney General be instructed to arrange for appearance and representation on behalf of the Speaker and the two other officers of the Lok Sabha Secretariat who were cited as respondents in the writ petition before the Supreme Court. The Attorney General accordingly appeared in the Supreme Court on behalf of myself and the two other officers at the preliminary hearing of the writ petition. As all the arguments that could possibly be advanced in support of the writ petition had already been fully considered in the earlier decision of the Supreme Court in the *Searchlight* case, the Constitution Bench of the Supreme Court consisting of seven Judges summarily dismissed the writ petition at the preliminary hearing itself, thereby once again confirming their earlier decision in the *Searchlight* case that the provisions of article 19(1)(a) of the Constitution, which are general, must yield to the provisions of the latter part of articles 105(3) and 194(3), which are special. This case, carried to its logical conclusions, has served to remind everyone about the supremacy of Parliament. Nevertheless, I consider it unfortunate that such a situation for reprimand should have arisen, especially when the Press by any standards enjoys full freedom in India and for its part has on the whole a reputation for sobriety and a high standard of behaviour.

Mr. Speaker's Seat

Before I resume my seat I have to refer to the General Elections that will come up in a short time both for Lok Sabha and the State Legislatures. This is the last Conference of the Presiding Officers before the Elections. I hope and trust that a convention would be established for the Speaker's seat to be left uncontested. Such a convention would, I think, go a long way in strengthening democracy. Until such a convention is clearly established, it may become necessary for the Speakers to stand on a party ticket. So far as the Centre is concerned no organised parties set up any candidate against me during the last General Elections.

Democracy in Gujarat

by

HARKANT SHUKLA,

Secretary, Gujarat Legislature Secretariat

There are several references in the *Rig Veda* and *Atharva Veda* which go to show that much before Democracy came to be known in Greece, democratic institutions were flourishing in India. This is supported further by references found in the *Mahabharata* and other *Puranas* to the effect that *Yadavas*, who had established their sway particularly in Saurashtra, had instituted a federal form of democratic Government, known as *Sangh Rajya* in that area. The distinguished treatise, Kautilya's *Arthashastra* speaks of as many as 56 small republics in India, including Saurashtra which seems to have been a small republic peopled by a community called *Ahhirs*. It is not impossible that the traditions of democracy which started in the Vedic ages might have lingered on to those times. With the rise of mighty imperial forces, like the Mauryan hegemony, these democratic institutions inevitably fell. "Gram Panchayat" is perhaps the only relic of those times which has survived the onslaught of time and political vicissitudes to this day. It is therefore in the fitness of things that the village panchayat should now be made the basic unit in the scheme of decentralisation of democracy as envisaged in the Village Panchayat Acts of many States, including Gujarat.

Coming to more recent times, we find the period from 1858 to 1947 in India full of political happenings which ultimately culminated in India's complete independence and her framing of a Constitution enshrining in it just the very principles of parliamentary democracy which had more or less remained the *summum bonum* of her political ideology all along.

Constitutional Reforms and the Gujarat Region

During the British rule, India was composed of two parts *viz.* the British India which consisted of the provinces directly administered by the British and the Indian States under the direct rule of the Indian princes, who were subject to an undefined paramountcy of the British Government. Gujarat claimed almost half the number of these Indian States within its territory, with Baroda as the premier State and several other saluate and non-saluate States and jurisdictional and non-jurisdictional estates. When the British Government introduced in 1907 the Morley-Minto reforms, it was late Maharaja Sayajirao Gaikwad of Baroda who in 1907 gave a lead to other Indian States by establishing the first representative institution called *Praja Sabha* in his State. Later, the late Thakore Saheb Lakhajiraj of Rajkot, a Prince among the leaders, who was in sympathy with the political movement in his State, actively helped in the establishment of a *Praja-Pratinidhi Sabha* in Rajkot, in the face

of opposition from the then Political Department at the Centre. Subsequently, the rulers of Bhavnagar, Wankaner, Palitana, Porbandar, Lathi, Vadia and Kotda followed suit by instituting representative institutions in their States. But such institutions could hardly flourish in the autocratic set up of those times in the States and the positive displeasure of the Political Department.

Saurashtra Union and After

With the advent of Independence in 1947, the Gujarat States, under the leadership of the Jam Saheb of Nawanagar, were among the earliest to decide to join the Indian Union, and Saurashtra was the first union of States to be formed.

The new State had to face innumerable difficulties before it could create an adequate administrative machinery, which would stand the test of democratic government. Nevertheless, very soon Saurashtra came to be known as one of the best administered Part B States, with a Legislature which successfully established the traditions of democracy within a short time. Kutch was for sometime a Part C State under the direct administrative control of the Centre. With the reorganisation of the States in the year 1956, Saurashtra and Kutch were integrated with Bombay, thus bringing together all the parts of Gujarat under one administration for the first time.

Birth of Gujarat State

The experiment of bilingual Bombay did not, however, last long and the Bombay State was bifurcated into the two States of Gujarat and Maharashtra. These new States came into existence on the 1st May, 1960.

Formation of New Gujarat Legislature

With the coming into being of the new State of Gujarat all the members belonging to the Gujarat region in the Bombay Legislative Assembly became *ipso facto* members of the Gujarat Legislative Assembly, while those in the Legislative Council retired as there was no provision for a Council in the new State of Gujarat. The present membership of the newly formed Gujarat Legislative Assembly is 132* which will now be increased to 154 after the third General Elections. Since all the members of the new Assembly were formerly members of either the old Bombay or Saurashtra Legislature, all of them have sufficient legislative experience and a background of parliamentary procedure and practice. This has facilitated the work of the new Assembly to a very great extent.

Gujarat Legislative Assembly met for its first meeting at 3·00 P.M. on August 18, 1960. The unanimous election of the Speaker went a long way in creating conditions of confidence, respect and esteem for the Speaker who is supposed to be the custodian of the rights and privileges of the House and the impartial arbiter of its proceedings. An effective Opposition is said to be a *sine qua non* for the successful working of parliamentary democracy. Though the strength of the Opposition members in the Gujarat Assembly is comparatively small, it was sufficient to enable the Speaker to grant recognition both to the Opposition party as well as its Leader. The Opposition members, though highly critical of Government policies and

*Of this number, 111 belong to the majority party *i.e.*, the Congress, 6 to the Opposition while 2 are Communists, 2 Independents and one seat is vacant.

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actions, have played their role consistent with the high traditions of democracy. On the whole the proceedings of the Assembly may be described as having never been marred by any ugly or unseemly scenes.

Impressive Record

The record of work transacted by the House in the brief period of less than a year-and-a-half of its existence must be considered impressive. On the legislation side in the four sessions held so far, the House has passed 78 government Bills and 1 out of the 10 private members' Bills introduced. Some of the important Government Bills like the Land Ceiling Bill, Tenancy Bill, Village Panchayats Bill and Co-operation Bill evoked lot of public interest and discussion. Of the 2533 notices of starred, unstarred and short notice questions received, 1902 were admitted and nearly 1800 of these were replied on the floor of the House. Notices of eight adjournment motions were received, of which one was admitted. Of the six notices for short discussions two were admitted and of the 25 calling attention notices, 15 were admitted. As many as 255 notices of non-official Resolutions had been given, of which 23 were admitted for discussion; and of those discussed, one was accepted, while the rest were either withdrawn or rejected. The Committees were also active and in all 38 reports, including those of the Public Accounts Committee and the Estimates Committee, were presented to the Assembly. Since a full-fledged democratic government came home to roost for the first time, the public galleries were always full—the total number of visitors during this period being more than 32,000, with a large number of students and collegians among them.

Signs of Hope

Gujarat, though the latest addition to the political map of India, has been considered a distinct cultural and linguistic block since time immemorial, and ever since the freedom struggle started by Mahatma Gandhi had become an impregnable fortress for freedom activities. It has been fortunate in getting training under great leaders like Mahatma Gandhi and Sardar Patel. Even now it can boast of a good number of experienced and disciplined political workers. What it had lacked so far was experience in the working of the parliamentary system of government. Now it has its own Legislature and Government. What is now needed is a more vigorous interest in the working of democratic machinery on the part of the younger people who have to be trained now for their role as parliamentarians and democratic leaders in the future. If Gujarat could contribute in the past such highly esteemed Speakers like the late Shri Vithalbhai Patel and Shri G. V. Mavalankar, it can rightfully hope to make a success of the parliamentary form of government in its own home. Already, the new government and Legislature of Gujarat, though burdened even initially with stupendous problems arising from the bifurcation of the Bombay State, have shown promise by tackling their problems smoothly and creditably. As things are, all indications point to a bright, stable and prosperous future.

Second Reading Stage of a Bill in the Mysore Legislative Assembly

By

K. S. THIMAPPA GOWDA

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Legislative Stages in India

Under the existing rules of procedure of Lok Sabha and most of the State Legislatures in India, after a Bill is introduced in the House, one of the following motions may be made, namely,—

(i) that the Bill be taken into consideration;

(ii) that it be referred to a Select Committee of the House (or to a Joint Committee of the Houses); or

(iii) that it be circulated for eliciting opinion thereon.*

To the motion that the Bill be taken into consideration, any member may move as an amendment that the Bill be referred to a Select (or Joint) Committee or be circulated for purpose of eliciting opinion thereon. Where the motion is for reference of the Bill to a Committee, a member may, by way of amendment, ask for its reference to a Joint Committee instead of a Select Committee (and *vice versa*), or move that the Bill be circulated for opinion.** No other alternative is open; he cannot, for example, move that the Bill be taken into consideration forthwith.

After the motion that the Bill (or the Bill as reported by the Select Committee) be taken into consideration is adopted, the Bill is taken up for consideration clause by clause. Amendments, if any, to the clauses are considered and disposed of, and, thereafter, the motion is made that the Bill be passed.

When any of the motions—namely, the motion for leave to introduce a Bill at the first reading stage, the motion to consider the Bill or the Bill as reported by a Committee, or to refer it to a Committee at the second reading stage, or the motion to pass at the third reading stage—is negatived, the Bill is removed from the Register of Bills pending before the House.† It thus happens that if at the second reading stage the motion is that the Bill be referred to a Select/Joint Committee and this motion is negatived, the Bill has to be dropped.

Procedure in U.K.

The procedure followed in the House of Commons (U.K.) is somewhat different. A Bill may be introduced there in one of the following ways, that is—

(i) it may be brought in upon an Order of the House;

(ii) it may be presented without an Order under the provisions of S.O. 35(1); or

(iii) it may be brought down from the Lords.††

*Cf. Rule 74 of the Rules of Procedure of Lok Sabha.
**Ibid.*, Rule 75 (2).
†*Ibid.*, Rule 112.
††May's Parliamentary Practice, 16th Ed., p. 510.

Majority of Bills are presented under the provisions of S.O. No. 35(1). This is the stage of first reading.

The next stage, known as the second reading, is usually, though not necessarily, taken on a future day. This is the most important stage, for it is now that the whole principle of the Bill is considered. The motion made at this stage is "that the Bill be now read a second time."

When a Bill has been read a second time, except when it happens to fall under certain categories*, it automatically stands committed to one of the standing committees unless the House, on a motion to be decided without amendment or debate, otherwise orders.** When the Bill is reported from standing committee with or without amendment, the House is deemed to have committed the Bill to a Committee of the Whole House. This stage, known as the report stage, is a more formal repetition of the Committee stage. When the report stage of the Bill is concluded, the member moves the third reading of the Bill.

The Lacuna

On a comparison of the process of legislation in the House of Commons with that in the Legislatures in India one discovers a small lacuna in the procedure in India. While the first and the third reading stages in the consideration of a Bill in India resemble more or less these stages in the House of Commons and present no problems, some difficulty arises at the second reading stage. To explain further, according to the normal Indian procedure at the second reading stage, a member may move for consideration of the Bill, or for its reference to a Select|Joint Committee, or for its circulation. For instance, if the mover makes a motion for reference of a Bill to a Select Committee and it is negatived, the Bill has to be dropped. It may well be that the House is reluctant to refer the Bill to a Select Committee but at the same time is not opposed to the principle of the Bill. In other words, if the House is not in favour of the reference of the Bill to a Committee and wants it to be considered in the House straightaway, this cannot be done, as under the normal rules in India the Bill has to be dropped once the motion for reference to Committee is negatived and no amendment to the motion to the effect that the Bill be taken into consideration can be moved. As a matter of fact, in the Lok Sabha on April 30, 1959 when the motion to refer the State Bank of India (Amendment) Bill to a Joint Committee was under consideration, a member who was opposed to the motion wanted to move as an amendment that the Bill be taken into consideration forthwith instead of being referred to a Joint Committee. The Speaker then observed that for a motion that the Bill be referred to a Select or Joint Committee there was no amendment provided in the Rules that the Bill

*If the Bill imposes taxes or is a Consolidated Fund or Appropriation Bill, it stands committed automatically to the Committee of the Whole House. If it is a Bill for confirming provisional orders, it stands referred to the Committee of Selection and is thereafter dealt with in the same way as a private bill. (Cf. May's Parliamentary Practice, 16th Ed., p. 535).

**The House may on the motion order the reference of the Bill to Committee of the Whole House, or to a Select or Joint Committee. If the motion is negatived, the Bill stands committed to a standing committee (*Ibid*).

be taken into consideration forthwith. If the motion for reference to Committee was opposed and negatived, a fresh Bill had to come in.*

Mysore Rules

When the Committee set up to frame Rules for the Mysore Legislative Assembly was considering the revision of rules of procedure in 1951, it felt that it would greatly benefit if a slight departure was made in the existing rules by limiting the initial motions at the second reading stage to one of the two—consideration and circulation. When the consideration motion is adopted, then that would be the proper stage to examine whether a reference of the Bill to a Select Committee was necessary or not. In case the House was in favour of referring the Bill to a Select Committee, it could do so; if not, the consideration of the clauses of the Bill could be taken up straightaway. Accordingly, a slight change was made in the Rules of Procedure of the Mysore Legislative Assembly and the Legislative Council. The Rules Committee while making this change hoped that it would ensure a reasonable approach to the process of legislation and at the same time would also be in consonance with the procedure obtaining in the House of Commons, where reference to committee follows after the motion "that the Bill be read a second time" has been adopted.

The relevant provisions in the Mysore Legislative Assembly Rules in their present form read as follows:

73. *Motions after introduction.*—(1) When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:—

(i) that it be taken into consideration by the Assembly either at once or at some future day to be then specified; or

(ii) that it be circulated for the purpose of eliciting opinion thereon:

* * *

(2) At this stage no amendments to the Bill may be moved, but if the member in charge moves that his Bill be taken into consideration, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) On the day on which any motion that the Bill be taken into consideration by the Assembly either at once or at some future day is moved, the principle of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

74. *Motion for reference to a Select or a Joint Select Committee and effect of it.*—(1) When a motion that a Bill be taken into consideration by the Assembly is passed, the member in charge or any other member may move

*LS Deb. 30-4-1959, cc. 14264-65.

that the Bill be referred to a Select or Joint Select Committee:

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(2) If a motion that the Bill be referred to a Joint or Select Committee is negatived or if no such motion is made, the Speaker may proceed to submit the Bill or any part of the Bill to the Assembly clause by clause under rule 86.*

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It will thus be seen that under the procedure in the Mysore Legislative Assembly after a Bill has been introduced the next motion is that the Bill be taken into consideration. After the adoption of the motion, the member in charge may, if he so desires, move that the Bill be referred to a Select or Joint Select Committee. If the motion for reference to Committee is negatived, the House will still proceed with the Bill, clause by clause, as though no such motion was made, unlike in Lok Sabha where in such a situation the debate on the Bill would have to come to a close. This provision as explained already has been made to meet a situation where the House is reluctant to refer a Bill to a Select Committee but at the same time is agreeable to consider the Bill straightaway.

Honest differences of views and honest debate are not disunity. They are the vital process of policy making among free men.

—HERBERT HOOVER

*Rule 86 lays down that 'notwithstanding anything contained in these rules, the Speaker may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Assembly clause by calue.'

Estimates Committee of Lok Sabha

A REVIEW OF REPORTS PRESENTED BY THE COMMITTEE DURING 1950—57—(3)*

[*This is the third instalment of the Review of the Reports of the Estimates Committee during the period* 1950—57 *which is in six parts*: (*i*) *Economy and Efficiency*; (*ii*) *Financial Matters*; (*iii*) *Staff*; (*iv*) *Stores*; (*v*) *Certain Important Matters including Policy; and* (*vi*) *Miscellaneous. This instalment, which completes the first chapter on "Economy and Efficiency", deals with 'Losses', 'Wastes', 'Delays' and 'Delegation of Powers'.*—Editor.]

C. Losses

In several Reports the Committee had occasion to point out cases of losses sustained by Government in their various activities. Losses are sustained sometimes on account of carelessness on the part of the officials responsible for the work or are caused by circumstances beyond their control. In the former case the Committee has invariably pleaded for proper investigation, fixation of responsibility and punishment of the individuals concerned and in the latter case the Committee has suggested the necessity of an enquiry into the causes for such losses and the rectification of defects with a view to avoiding their recurrence.

Losses in the Central Tractor Organisation

In their Seventh Report, the Committee dealt with the losses sustained in the Central Tractor Organisation[1]. They observed that the policy adopted in regard to the purchase of stores and equipment had been very unsatisfactory. Tractors had been purchased at a cost of Rs. 95,73,384 without determining their operational efficiency under Indian conditions. Experiments conducted subsequently proved these tractors to be uneconomic, thereby entailing heavy losses to the Government. Another lapse by the C.T.O. was in ordering a bulk purchase of 24 diesel trucks in 1949 costing $1,28,802. It was found later that these diesel trucks were operationally unsuitable and uneconomic. The diesel engines were being discarded and replaced by petrol engines. The Committee wrote as follows regarding this matter[2]:—

> The Committee deprecate this lack of planning and foresight. Purchases in the initial stages should have been made on a trial basis to establish their operational suitability and efficiency. This persistent lack of planning has resulted in a loss of the nation's money. The Committee recommend that steps should be taken by Government to fix the responsibility for these losses and to take suitable action against those Officers who have been found guilty of irregularity.....They consider that some serious action is called for against the officials responsible for the heavy losses which have resulted from the imprudent policy in the matter of purchase of tractors, stores and surplus spare-parts, etc.

In regard to future purchases, the Committee recommended that a long-

*Prepared by the Estimates Committee Branch of the Lok Sabha Secretariat.
[1] 7R (EC—1 LS) para 16, p. 6.
[2] *Ibid* para 17, pp. 6-7.

term purchase policy be adopted and the placing of *ad hoc* indents discontinued[5]. They suggested that the indenting of spare parts should be carefully planned and phased, and before orders are finally placed they should be scrutinised by a Committee consisting of a Senior Agricultural Engineer, the Financial Adviser, and one representative each from the Ministry of Food and Agriculture and the D.G.S. & D.

Government examined[6] the transactions pointed out by the Committee in ten categories of purchases and came to the conclusion that only five of them needed to be investigated further and that in regard to others the purchases were, in the circumstances, inevitable. The transactions into these five categories were investigated by a Special Officer appointed by the Ministry of Home Affairs and he came to the conclusion that considering the circumstances of the case, there was no case for any action against any officer connected with the transactions.

In regard to the recommendation relating to future purchases, Government stated[7]—that the Stores Directorate was admittedly far from satisfactory. This had been due mainly to difficulties of personnel. There had been delays in the despatch of stores to the units and a tendency on the part of the units to unnecessarily stock-pile spare-parts. Several such difficulties existed which were responsible for the unsatisfactory working of the organisation. Matters, however, had improved as a result of reorganisation and the position now was more satisfactory.

The Committee further observed[8] in their Report that the purchase of different types of tractors had resulted in difficulties in regard to the purchase and maintenance of accessories and spare parts. Some parts wore off more quickly than others and it was observed that there was not sufficient stock of fast-moving spare parts in the C.T.O. whereas there was a very large surplus of others. The Committee observed in this connection as follows:—

> The task of balancing the supply of spare parts is a continuous one and the Committee feel this can be best achieved by a policy of standardisation of tractors and by a judicious purchase of accessories. It has been represented that a policy of standardisation would result in monopolistic prices. This argument lacks force as our purchasing agencies abroad can see to it that they do not pay higher prices than other countries. All things considered, the Committee are of the view that Government should follow a policy of standardisation of tractors.

Government did not however accept this suggestion and stated that tractor companies were continuously making improvements in their tractors in the light of the experience they gain in various countries[9]. Tractors also varied considerably in their performance according to the conditions in which they have to work. There was also a danger in going too far with standardisation, as Government were likely to find themselves tied too closely to a particular make and the manufacturer might use that to raise his prices.

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[5] ৭৭ বি—(LS) para 18, p. 7.
[6] 33R (BC—7LS) pp. 66—81.
[7] *Ibid* pp. 28—31.
[8] 7R (BC—7LS) para 20, p. 8.
[9] 33R (BC—7LS) pp. 32-33.

Losses due to increase in cost of reclamation

The Committee had also some comment to make[8] on the losses sustained by the C.T.O. due to the increase in the cost of reclamation. In regard to this matter they observed:

> The Committee recommend that Government should institute an enquiry to examine how these losses came about and who were responsible for these losses, and after enquiry has been made and responsibilities fixed, take suitable action. This Committee should be charged with the task of making recommendations for the reduction of the various elements which have contributed to the computation of the figure of Rs. 52 per acre.

They observed further that the C.T.O. suffered a loss of Rs. 68,32,707 during the three operational seasons 1950-51 to 1952-53[9]. The actual amount of total loss might be more than this figure and would not be known until surplus stock of spare parts etc., was sold and it was decided whether the State Governments would pay in full the dues amounting to Rs. 5.16 crores outstanding against them on the 31st March, 1954. The Committee desired that the total amount of loss should be worked out after a year or so and the question of either allocating it *pro rata* to the State Governments concerned or writing it off might be considered then.

Government in their reply[10] stated that there were several factors which contributed to the increase in cost of operations over what was originally estimated. Devaluation of the rupee increased the cost of purchase of equipment from the U.S.A. There were other causes also like increase in the cost of petrol, oils and lubricants. To some extent costs went up due to inefficiency and wastage. Government were however of the view that mistakes committed were not due to culpable negligence and *malafide* action but were due to lack of experience of this kind of work.

When the C.T.O. was started it was decided to run it on a no-profit-no-loss basis. It was however never contemplated that it would show no-profit-no-loss on each year's accounts. The basis of land reclamation work namely "no-profit no-loss" had now changed. In 1954-55 a substantial loss was expected as the cost of operations would exceed Rs. 40 or Rs. 45 per acre or per hour. It had been decided to treat this loss as subsidy in the interest of greater production. The surplus spare parts were being disposed of and it was hoped to get the book value in some cases.

The Committee[11] were however not satisfied with these explanations and recommended that an inquiry should be instituted to fix responsibility.

The Statesman, New Delhi, in an editorial[12] entitled "Tractors off track" commented as follows on the Committee's findings:—

> Parliament's Estimates Committee has just produced what is in large part a stinging report. Like some other instruments of the "Grow More Food" campaign the C.T.O. has, it appears, suffered from lack of planning and foresight of which astonishing instances are given....The Committee's report could be the starting point for a whole series of inquiries. It urges the Government to fix responsibility for losses and take action against the guilty. If that is done, the result after all this time may not be significant. There is however much to enquire into, especially the results of the whole reclamation scheme, in terms of money and additional produce, and,

[8] 7R (EC—1LS) para 23, pp. 9-10.

[9] *Ibid.* para 29, pp. 13-14.

[10] 53R (EC—1LS) pp. 52—66.

[11] *Ibid.* para 4, pp. 2-3.

[12] *The Statesman*, New Delhi, dated May 15, 1954.

consequent on that its future... This project for adding to India's productive acres is of national importance, and perhaps a relatively high price had to be paid. But the facts and figures should be clearly known—and future muddles avoided.

The Hindusthan Standard, New Delhi also commented[13] editorially on this Report. Under the caption "The Tractor Scandal" the paper wrote—

> Government will betray a sorry lack of imagination if they persuade themselves to believe that their duty will end merely with dealing appropriately with the persons found guilty. The repetition of such gross and stupendous scandals is bound to raise a strong presumption about the existence of an atmosphere of moral levity round about the Central Secretariat. This is the more fundamental issue that has been thrust to the fore by the Report of the Estimates Committee.

Closure of Jabalpur Farm

In their Tenth Report the Committee dealt with the heavy loss incurred on the Jabalpur Farm which ultimately resulted in the closure of the farm. The actual loss incurred on the scheme had not been worked out in detail but was expected to be heavy. The Committee commented[14] as follows regarding this matter:—

> The Committee were also informed by the representative of the Ministry that another reason for abandoning this scheme was the unsuitability of the land for a farm of this nature as it became waterlogged. The land for growing fodder was also said to be insufficient. The Committee do not find these reasons very convincing. It is strange that the unsuitability of the land was discovered only in 1950—after a lapse of about three years. The scheme was started, after detailed examination and at a considerable outlay, to meet the essential requirements of animal husbandry in the country. If the place was unsuitable for setting up a farm, it is surprising that efforts should have been made to purchase cattle, although in small numbers, from Pakistan for this Farm and then keeping them there without carrying out any experiments in cross breeding, resulting in losses year after year. In winding up this Farm, besides the financial loss involved, there has been a cessation also of a very useful line of experiment in cross-breeding of cattle. The Committee trust that greater care will be exercised in future by Government before embarking upon such schemes.

Government in their reply stated[15] that it was never intended to run the Farm as a self financing proposition. When the scheme was started it was estimated that there would be a recurring cost of Rs. 7.25 lakhs (in addition to Rs. 50.55 lakhs non-recurring) against an estimated initial revenue of Rs. 3.3 lakhs and ultimate revenue of Rs. 5 lakhs when the scheme was in full swing. The Committee's recommendations had been noted by Government for future ventures of this nature.

Misappropriation in the Films Division

In their Eleventh Report on the Ministry of Information and Broadcasting the Committee commented[16] on the loss of about Rs. 10,000 in the Films Division on account of misappropriation by a gazetted officer. At the time of the Committee's examination an enquiry had been held into the matter by a Senior Officer and a report had been made. Action against the officer had however, not been taken. The Commit-

[13] *The Hindusthan Standard*, New Delhi, dated May 15, 1954.

[14] 10R (EC-1LS) paras 9-10, pp. 4-5.

[15] 58 R (EC—1LS) pp. 4-5.

[16] 11R (EC—1LS), para 32, p. 11.

tee remarked thus—

> The Committee regret to note that there has been considerable delay in taking action against the defaulting officer and urge that the proceedings should be expedited.

Loss on Journals in the Publications Division

In their Eleventh Report the Committee also expressed[17] concern over the enormous losses incurred by the Publications Division on the Journals *Ajkal* (Hindi) and *Ajkal* (Urdu). They were of the view that these publications did not cater to the needs of external publicity and as for internal publicity, they were not really needed. They observed:

> The Committee are of the opinion that these journals are not serving any useful purpose. On the other hand, the loss incurred on them is enormous. They, therefore, recommend the closing down of these publications, so that the exchequer may be saved of the expenditure and loss incurred on them. If, however, for any reason Goverment feel that these journals should be continued, then the Committee would suggest, very reluctantly, an alternative, namely, that as early as possible, these journals should be made self-supporting. For this purpose the Committee recommend that there should be a common editorial staff, consisting of persons knowing both Hindi and Urdu and that the same subject matter may appear in both the Hindi and Urdu versions of the publication.

Government in their reply expressed their reluctance to agree to the closure of the two publications[18]. They stated that *Ajkal* (Hindi) was intended primarily for the spread of culture and information through Hindi. *Ajkal* (Urdu) was intended for Urdu speaking people in India and abroad. The two journals catered for different classes of readers and the functions performed and the purpose served by the journals were distinctly different. A common editorial staff was also not feasible. Government were however making every effort to stimulate the sale of these journals by making them more attractive and useful and also by increasing their advertisement revenue.

The Committee did not accept this stand[19]. Inspite of the Government's efforts, the annual loss on account of *Ajkal* (Hindi) had not appreciably diminished while that on *Ajkal* (Urdu) had increased. The Committtee recommended that if Government still considered it necessary to continue these journals, it should be ensured that the losses were effectively brought down and the journals made self supporting to the extent possible.

Loss on programme Journals of All India Radio

In their Twelfth Report on All India Radio the Committee observed[20] that out of seven programme journals of the All India Radio, six were incurring losses every year. The net losses incurred on the Radio Journals *Awaz* (Urdu) and *Nabhovani* (Gujarati) were Rs. 18,500 and Rs. 10,000 annually and the Committee felt that considering the poor circulation of the journals, the losses incurred on them were unjustified. They recommended that in case the journals could not be made self-supporting their publication should be discontinued. The Committee suggested that publicity of programmes may be done through the local Urdu and Gujarati newspapers which might be supplied regularly with

[17] 11 R (EC—1LS), paras 79-80, p. 26.
[18] 66R (EC—1LS) pp. 61-62
[19] *Ibid* para 3, p. 1.
[20] 12R (EC—1LS) paras 135-137, pp. 47-48.

tents of the programmes. In regard to the other programme journals also the Committee stressed the need for making them self-supporting. The Committee cited the instance of the programme journal of the B.B.C. the *Radio Times*, which had a circulation of seven million copies per issue and which made an annual profit of over one million pounds a year. The Committee wrote—

> The B.B.C. prides itself in this matter and cites it as convincing evidence of efficient management. If the British radio listener can be made to believe that the radio programme journal is a necessity, the Committee cannot find an argument why its Indian counterpart cannot be made to think on the same lines. The sales of the journals should be pushed up by intensive publicity both visual and over the microphone. The Committee are convinced that there is a good market for these journals and that with greater attention on the part of Government they can all be made self-supporting. The Committee hope that Government will direct themselves to this end.

Government stated[21] that a total number of 75,075 copies of all the programme journals put together were being sold in the country. This represented 7.29% of the total radio licences in the country and was therefore according to Government not a disappointing figure. Reading habits were different for different linguistic groups and this accounted for the lack of sales of journals in particular languages. Besides this, there were other reasons of publicity which weighed in favour of continuation of the journals. However, in accordance with the Committee's recommendations, Government were paying greater attention to the question of making the journals self-supporting and to this end not only better production methods but also a larger advertising revenue was being aimed at. Government also assured that sales would be pushed up by intensive publicity as recommended by the Committee. The Committee accepted Government's view.

Unlicenced radio sets

In the same Report the Committee pointed out[22] that due to the large number of unlicenced radio receivers in the country Government were put to a loss of revenue between Rs. 15 and Rs. 30 lakhs annually. Analysing the reasons for this the Committee remarked—

> The Committee feel that a fairly large number of people who fail to renew promptly their radio licences do so as they are not in a position to pay the licence fees in one instalment. If they fail to obtain the licence within the prescribed time limit they are obliged to pay the penalty in addition to the licence fee. This makes their position worse and quite naturally many of them go into hiding in the pious hope that they will escape undetected.

The Committee felt that stern measures should be taken to see that Government are not put to such a heavy loss annually and made several recommendations for improving the licencing procedure.

Government stated[23] in their reply that the entire question of tightening up the antipiracy measures had been carefully considered in conferences with the P. & T. Department and a procedure had been devised which it was hoped would minimise the evil of unlicenced radio sets. Government also stated that many of the Committee's recommendations in this regard had been acted upon.

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[21] 31R (EC—2LS) pp. 56-57.

[22] 12R (EC—1LS) para 124, page 43.

[23] 31R (EC—2LS) pp. 49—54

Losses on departmental catering in the Railways

In their Twenty-fifth Report relating to Passenger Amenities on the Railways the Committee drew attention[24] to the losses incurred by the Eastern and Southern Railways in departmental catering. The figures for the period 1951 to 1955 were as follows:—

Year	Eastern Railway	Southern Railway
1951-52	2,89,359	4,26,763
1952-53	1,90,764	6,56,689
1953-54	2,93,185	4,25,123
1954-55	Not available	3,17,457

The Committee recommended that departmental catering on Railways should be run on a "no-profit no-loss" basis on the lines recommended by the Alagesan Committee on Catering and that the Railway Administrations should keep close watch and have effective supervision over the departmental catering centres.

Government in their reply stated[25] that the recommendations were in keeping with the policy of the Railway Board in regard to Railway catering. Government also stated that the observations of the Committee had been forwarded to the Railway Administrations, drawing their attention also to the standing instructions on the subject.

Losses on account of goods lost in transit

The Committee in their Twenty-sixth Report on Commercial Matters relating to the Railways commented[26] on the large number of claims for goods lost in transit. They observed that the high incidence of claims meant a heavy drain on the revenues of the Railways, so badly needed for rehabilitation and development. Apart from the monetary aspect, the harassment caused to the customers and loss of their goodwill was out of all proportion to the amount involved.

Government in their reply stated[27] that the observations of the Committee had been brought to the notice of the Railways and they had been asked to maintain a vigorous drive for reduction in the number of claims.

In the same Report, while dealing with the problem of handling of goods on the Railways, the Committee recommended[28] that responsibility for the breakage or loss due to rough handling should be properly fixed and in the case of loss due to the negligence of the labour of contractors, they should be held responsible for the same and the amount of loss suffered should be debited to them. The Committee commented further as follows:—

> The Committee notice that there is a gradual rise in the number of claims and the amount of compensation paid for goods damaged by wet. This is apparently due to defective wagons used in which rain water enters through holes and crevices in the roofs and panels. The Committee recommend that Railways should pay more attention to this aspect. Defective wagons must not be used for carrying commodities likely to be damaged by rain water, particularly during the monsoons. Further, attempts should be made to plug small holes in the roofs and panels of wagons before such wagons

[24] 25R (EC—1LS) paras 96 & 100, pp. 33—35.
[25] 30R (EC—2LS) pp. 33-34.
[26] 26R (EC—1LS) paras 48—55, pp. 16—19.
[27] 32R (EC—2LS) p. 14.
[28] 26R (EC—1LS) paras 70-71, p. 22.

are used or arrangements for temporary repairs of leaky wagons should be made before loading commences.

Government[29] accepted this recommendation and the Railway Board issued instructions to the Railways to take suitable action in the matter.

Thefts of goods on the Railways

The Committee also dealt[30] with the high incidence of thefts and pilferages of goods on the Railways. They observed that though the losses had been on the decline since the reorganisation of watch and ward department as the Railway Security Force and other measures taken by the Railways, there was no room for complacency. The Committee observed:

> Determined efforts should continue to eradicate this evil completely. The Committee feel that the Railway Security Force should select some mobile gangs of specially trained men of integrity and they should in rotation be posted for duty in important goods sheds at big stations, so that the chances of collusion with Railway staff and local men of notoriety are minimised.

In their reply Government stated[31] as follows:—

> Instructions have been issued to all Chief Security Officers to detail selected men of the Crime Detection Branch of the Railway Protection Force to important goods sheds for specified periods for keeping an unobtrusive watch on goods sheds and parcel offices to detect thefts, pilferages and frauds etc. The responsibility for watch being kept against corrupt practices in goods sheds, parcel offices, etc., also rests on the vigilance organisation on each Railway. It should be possible between the two organisations to deal with the problem in a large measure and Railways have been instructed accordingly.....Every effort will continue to be made to bring the Railway Protection Force to a high level of efficiency. A bill named the Railway Protection Force Bill has also been introduced in the Parliament so as to further assist in achieving this object.

Ticketless travelling

Commenting[32] on the loss of revenue due to ticketless travelling, the Committee observed that the estimated loss on this account according to the Railways was between Rs. 2 to 3 crores annually. In this connection the Committee proceeded to say—

> The Committee feel that this is a conservative estimate. Apart from the monetary loss involved, the fact that a large section of our people prefer to travel without tickets is an indication of inadequate civic sense. The Committee, therefore, feel that the Railways should take proper steps to eradicate ticketless travelling not only to increase their revenues but also as a part of social education against the defaulters. It is also necessary to create conditions in which ticketless travelling would be extremely difficult for anyone to indulge in. Civic sense could be inculcated in schools by the educational authorities in States which may be approached for this purpose by the Railway Ministry.

The Committee felt that if the scheme of posting one T.T.E. for every two coaches is properly handled, not only would it be useful for reducing ticketless travelling but also it would prove to be of great assistance to the third

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[29] 32R (EC—2LS) pp. 51—52.

[30] 36R (EC—1LS) paras 72—74 and 186, pp. 22 and 60—61.

[31] 32R (EC—2LS) pp. 17 and 31—32.

[32] 36R (EC—1LS) paras 100—112, pp. 29—33.

class passengers and help reduce the nuisance of beggars and hawkers. The Committee made a number of suggestions to eradicate the evil of ticketless travelling:

(i) Extension of Magisterial checks to States where these do not exist.

(ii) Extensive propaganda to be carried out by means of announcements, leaflets, posters and instructions at stations, in trains, in schools and colleges.

(iii) Honest ticket checking staff who are sometimes intimidated by ticketless travellers to be given protection. Watch and Ward staff to be posted in plain clothes to render assistance in case of an emergency.

(iv) Honest ticket checking staff who show outstanding merit to be given some sort of incentive in the shape of appreciation of their services by rewards or by further promotions.

(v) Flying squads to be kept changing from section to section and their programmes to be kept secret, so that the normal checking staff in a section may not be aware of the presence of Flying Squads.

(vi) Fencing at road-side stations to be improved on a planned basis to ensure that passengers have to pass out through proper gates.

(vii) Authority to be given to the members of the Consultative Committee at all the levels to exercise surprise checks made by the ticket checking staff in their presence.

Government in their reply stated that the observations of the Committee had been noted and were being acted upon[55].

Losses in Ordnance factories

In their Fifty-fourth Report on Ordnance Factories the Committee commented on the losses in the factories[56]. The total losses under various heads written off by competent authorities for four years were as follows:—

1952-53	Rs. 7,70,396
1953-54	Rs. 22,47,209
1954-55	Rs. 9,65,894
1955-56	Rs. 16,36,521

The Committee made the following observations in this regard:

It will be observed that the losses on an average amount to over 2 per cent of the annual expenditure excluding pay and allowances of staff and capital expenditure, and over 3 per cent of the annual purchases of materials. The Committee feel that this is rather on the high side. The losses have been particularly heavy during 1953-54 and 1955-56. Further, the losses on account of deficiencies in actual balance not caused by theft, fraud etc. and losses due to other causes have increased considerably. The Committee feel that the question of these losses should be examined carefully and action initiated to reduce them to the minimum.

Government in their reply[57] stated that the recommendations had been noted and the action as necessary was being initiated in the matter.

Losses in Army Stores

In their Fifty-sixth Report on Army Stores the Committee drew attention[58] to the losses due to foodstuff being declared as unfit for human consumption. The value of these foodstuffs for the previous five years was as follows:—

1951-52	Rs. 1,17,350
1952-53	Rs. 71,668
1953-54	Rs. 39,013
1954-55	Rs. 38,433
1955-56	Rs. 46,460

[55] 32R (EC—2LS) pp. 19—21.
[56] 54R (EC—1LS) paras 103, pp. 47—48.
[57] 117 R (EC—2LS) p. 15.
[58] 56R (EC—1LS) paras 108—110, pp. 39—40.

The Committee commented as follows regarding this matter:—

> Some of the circumstances leading to the deterioration of foodstuffs are undoubtedly of a temporary nature and are to some extent not within the control of the authorities. However, the Committee feel that the recurrence of losses of large quantities of foodstuffs indicate that the storage conditions, the period of storage, the quality of foodgrains, etc. may also account for losses to a considerable extent. The Committee consider that it should be possible for the authorities to whom all modern techniques of food preservation are available, to minimise, if not completely eliminate, the losses due to such reasons by devoting more attention to the problem.

Government felt, however that the losses in the Army Service Corps Depots were not abnormal[37]. Government stated that detailed orders existed for stocking of stores, thereby leaving little possibility of deterioration. These orders were complied with in Supply Depots in peace stations. However, it had not been possible to comply with these orders fully in Supply Depots located in operational areas. The measures generally adopted included training of personnel in store preservation, provision of covered accommodation for stocking of stores, constant inspection of stores, fumigation of infested grains etc. Every effort was made to minimise losses in storage.

The Committee also observed[38] in the same Report that the losses incurred as a result of deterioration of medical stores during the years 1951-52 to 1955-56 were as follows:—

1951-52	Rs. 2,62,698
1952-53	Rs. 99,685
1953-54	Rs. 27,439
1954-55	Rs. 13,558
1955-56	Rs. 74,670

The Committee had this to say on these losses[39]:—

> The Ministry of Defence have explained that the above losses were mainly due to deterioration of stock overprovisioned during the war. After the cessation of hostilities these were returned to the Depots. Huge quantities had thus accumulated which could not be consumed and in consequence they deteriorated through passage of time. The Committee realise that over-provisioning of stores was inevitable during the war. But during the years that followed, it should have been possible to reduce the stock to peace time requirements and also to get rid of stocks that were likely to deteriorate. The Committee, therefore, urge that provision review of M. & V. stores should be conducted on a more realistic basis so as to leave no scope for over-provisioning or stocking for periods in excess of the life of the stores.

The value of A.O.C. Stores written off during the period 1951-52 to 1954-55 was as follows:—

1951-52	Rs. 1,90,23,811
1952-53	Rs. 2,04,85,597
1953-54	Rs. 2,85,97,285
1954-55	Rs. 1,79,34,211

On this the Committee commented as follows:

> It was mentioned that the deterioration was due to lack of care and preservation, consequent on shortage of manpower as also due to defective storage on account of lack of covered accommodation. The Committee were also informed that a major portion of the losses was due to conditions prevailing in the various Ordnance Installations in Jammu and Kashmir. The Ministry have explained that these losses did not relate exclusively to that particular period but pertained to a number of years in the past and were ascertained as a result of the re-organisation of the Depots and written off during the said period and accounted for accordingly. Another reason for the losses was on account of ammunition etc. which had definite storage periods.

[37] 40R (EC—2LS) pp. 14—15
[38] 56R (EC—1LS) paras 111—112, p. 40.
[39] *Ibid* paras 113—114, pp. 40—41.

The Committee feel concerned, however, about the extent of the losses that took place and about the main recurring cause for the deterioration of stores continuing to exist. They feel that deterioration due to defective storage accommodation, unsatisfactory arrangements and lack of care and preservation would be considerable. They would suggest that the losses suffered on account of such reasons should be analysed and early action taken to remedy the defects.

Losses in Bareilly Military Farm

In their Sixty-fourth Report the Committee made the following observations[40] regarding the losses incurred by the Military Farm at Bareilly:

The Committee observe that while most of the farms run at a profit, the farm at Bareilly has uniformly incurred loss ever since 1949-50. This was explained as due to two reasons: (i) the over-heads were a little high, production being only 1,100 lbs. a day; and (ii) bad management. It is unfortunate that while there was good irrigated land, due to bad planning it was not fully utilised. Further, the supervision was also stated to be weak and as a result the production went down. In spite of inspections and detailed instructions, the position remained the same for about a year and a half mainly because the instructions were not being carried out. The Committee understand that the persons responsible have since been punished and that the position is improving. They consider that this case clearly indicates the necessity of keeping a close watch over financial results. The Committee further notice that in certain farms, as for example, farms at Kanpur, Lucknow and Meerut there are wide fluctuations in the profit earned from year to year and in certain others *e.g.*, farms at Allahabad, Kanpur and Lucknow, after a number of years of profits suddenly losses occur. They would therefore recommend that the financial results in all such cases should be carefully reviewed every year and prompt measures should be taken to set right the defects noticed.

Government in their reply stated[41] that financial results of the working of each of the farms are closely watched and action taken wherever necessary. As a result of the poor financial position of the Bareilly Farm special inspections were ordered in 1954-55. Departmental action was taken against the Manager and he was changed. As a result of the tightening up of the administration the Farm showed a profit in 1956.

German Reparation Machinery

In their Sixty-eighth Report on Ordnance Factories the Committee dealt with the receipt and utilisation of German Reparation machinery[42]. The following were their observations regarding this matter:

The German Reparation machinery was neither planned properly nor was any systematic action taken to use them at least in so far as the Ordnance Factories are concerned. In the first place, the selection of machines for the Ordnance Factories was done apparently without giving much thought to the use to which they could be put. Secondly, even though most of the machines were said to be new, about 35 per cent of them were found completely unsuitable, some even for repairs and overhaul. Thirdly, no attempt was made to overhaul and instal the machines quickly. Lastly, even the machines which were not found suitable were not declared for disposal promptly. This delay in installation as well as in disposal has resulted in the deterioration of the machinery due to long storage extending over 2 to 7 years and consequent loss to Government on account of lesser price fetched in disposal as well as due to expenditure to the tune of Rs. 1,69,000 incurred on their storage upto 1-4-56. Even now, of the machines still left about 120 were stated to be in the open without any covered accommodation. Further, by not making these machines promptly available to other industrial undertakings, either in the public or in the private sector, their utilisation has been delayed while the foreign exchange expended in importing the machines which these machines might

[40] 64R (EC—1LS) para 10, p. 4.

[41] 35R (EC—2LS) pp. 2—4.

[42] 68R (EC—1LS) para 98, pp. 22—23.

well have replaced, could have been saved. The Committee consider all this very unsatisfactory and feel that there has been some carelessness and neglect in the matter. They, therefore, recommend that a comprehensive inquiry should be conducted in the matter and responsibility fixed as well as action taken against those found guilty.

Government however were of the view that there was no carelessness or negligence in the handling of these machines[42A]. Government's reply was as follows:—

> Compared to the conditions of storage and deterioration which the plants had suffered prior to their acquisition by the Ordnance Factories, the plants have received far better consideration while under the control of the Ordnance Factories and the conditions of storage have been by and large better. Thus the disposal value of these plants has not depreciated appreciably during their storage in Ordnance Factories. If the plants do not fetch high prices in disposals it is due to the fact that these are generally specialised single purpose plants meant for munition manufacture and have had inordinately rough wear and tear even before they reached India and need to be completely stripped down, important parts replaced, re-installed, tested, adjusted and be finally adapted for other uses. Nor could these plants be of any ready or substantial use to other industrial undertakings in the public or private sector saving foreign exchange thereby, as suggested by the Committee.
>
> Having regard to all the circumstances of the case, there has been no carelessness, much less negligence in respect of proper planning or systematic action on the best utilisation of the German Reparation plant and machinery in so far as the Ordnance Factories are concerned.

D. Wastes

Stores in C.T.O.

While dealing with the Central Trac-Organisation in their Seventh Report, the Committee commented[42B] upon the large stock of surplus spare parts, equipment stores etc. estimated at over a crore of rupees in the C.T.O. An unco-ordinated and unplanned policy had resulted in large amount of waste. The Committee wrote—

> Among the surplus equipment and stores are listed the following:—

American Disposals Direct Purchases by the C.T.O.

Equipment	*Value*
Caterpillar D 7 Tractor	Rs. 15,90,000
One ton Trailor	Rs. 58,500
Foundry Equipment	Rs. 1,44,572
Rome Master Disc Harrows	Rs. 4,16,220
Athens Harrow and ploughs	Rs. 3,45,616
Case tractor with all Evans winches	Rs. 2,23,500
International Truck	Rs. 4,16,000

> The book value of the above articles comes to about Rs. 31 lakhs and the reason advanced for declaring those articles surplus confirm abundantly the lack of planning and foresight on the part of the authorities responsible for their purchase and maintenance. The Rome Master Disc Harrows and Athens Harrows and Ploughs were purchased at a cost of nearly Rs. 6·5 lakhs for harrowing after clearing of jungles in forest lands. It was later found that these Harrows and Ploughs were uneconomical for use on heavy tractors. The indent for tractors was cancelled but this item could not be cancelled as the order was executed prior to the cancellation of the indent. A foundry was set up at Delhi at a cost of Rs. 1½ lakhs but later on it was found that there was not much use for it. Case Tractors with All Evans Winches were purchased for jungle clearance work but the C.T.O. found that they could not be utilised. The case of the International truck fitted with diesel engines has already been mentioned before. It has been stated by the representative of the C.T.O. that on account of the non-availability and high cost of spare parts and due to various changes in regard to the requirements of vehicles it has been decided to replace the diesel engines by petrol engines. As a result of this decision diesel engines on the 24 1-H.C. Trucks would be scrapped and 8 new 1-H.C. Trucks would be disposed of. These instances go to show that orders were placed and are being placed haphazardly and a large quantity of stores including spares were accepted without any scrutiny. The Committee deprecate the

[42A] 86R (RC-21.S) pp. 70-71

[42B] 7R (RC-11.S) para 24, pp. 10-11

indiscriminate purchase of stores and equipment and urge upon the Government the necessity of bringing the defaulting officials to book.....The Committee recommend that Government should take steps to enquire into the circumstances in which such haphazard purchases of stores and spares were made. They further recommend that a small Committee including an expert Cost Accountant should be asked to undertake an accurate assessment of the value of the tractors and all other equipment and stores at present in the possession of the C.T.O.

In their reply Government stated[44] that the C.T.O. had until 1957 declared stores and machinery worth Rs. 81·03 lakhs as surplus and efforts for their disposal had been made through C.T.O. and the D.G.S. & D. Till the 1st April, 1953 the C.T.O. had powers to do its own disposal and was able to dispose of stores worth Rs. 17·58 lakhs making a profit of Rs. 9·53 lakhs. Since then surplus stores were disposed of through the D.G.S. & D. During the year 1953-54 stores worth Rs. 0·85 lakhs were sold making a profit of Rs. 0·09 lakhs.

Commenting on this Report of the Committee on the C.T.O., the *Hindusthan Standard* of New Delhi in an editorial wrote as follows[45]:—

> The report....provides yet another glaring instance of reckless irresponsibility in expenditure that is often incurred by Government. The major portion of the report constitutes a severe indictment of the C.T.O. which naturally affects also its parent authority—the Food and Agriculture Ministry....
>
> The revelations made in the report furnish all through telling evidence of deplorable bungling of the C.T.O. ....
>
> The Committee has rightly deprecated 'the lack of planning and foresight' displayed all along by the C.T.O. It is a truism that any worthwhile deal, specially when it involves heavy public expenditure, should normally be preceded by sound planning as a safeguard against the wastage of money. There is, however, a psychological aspect of the question that also deserves our notice in this context. Unplanned expenditure has its source deep down in a sense of irresponsibility in the persons incurring the same and the haphazard purchase of tractors made by the C.T.O. is apt to lead to the conclusion that the bosses of the organisation felt no moral scruple on the core of the heavy loss that such purchase might entail. The same moral irresponsibility on their part was also evident in other ways. It has been mentioned before that, according to the Committee's findings, purchase was made of tractors and spare parts without any previous test of their suitability for reclamation work in this country. Normally the purchase of articles is made after a trial and when even that was thought unnecessary before tractors were bought at colossal cost the conclusion becomes inescapable that the officers felt no qualm of conscience in playing ducks and drakes with public money.

Excess publication of Journals and Pamphlets in the Publications Division

While examining the Publications Division, the Committee in their Eleventh Report noted[46] that the number of copies of the various journals and pamphlets printed by the Division was far in excess of the total distributed. This was a great waste. The Committee wrote as follows regarding this matter:—

> The number of copies produced is far in excess of the total distributed including the number distributed free. It is apparent that there is no planning in respect of the number of copies required to be printed and that there has been considerable over-publication. The articles contained in these journals are of a topical and ephemeral interest and they lose their utility very rapidly, so that if they are not issued soon after their publication, they cease to have any value. Apart from the space required for stocking these large quantities of old issues, the over-publica-

[44] 53R (EC—1LS), p. 85.

[45] *The Hindusthan Standard*, New Delhi, dated May 15, 1954.

[46] 11R (EC—1LS), para 90, pp. 29-30.

tion has also resulted in a monetary loss of the order of several thousands of rupees each year. The Committee consider that the number of copies printed should be approximate to the demand for them and should not be far in excess of actual requirements. It will be relevant in this connection to reproduce certain observations made by the Economy Committee in 1948:

"It is noticed that all these magazines were running at a loss. One of the reasons seems to be that the number of copies of these publications printed is not fixed in terms of the actual requirements.

While we recognise that these journals for foreign publicity cannot be self-supporting we recommend that the actual loss on these should be reduced to the minimum by restricting the number of copies to be printed.

The position in regard to the wastage due to printing of superfluous copies, however, still continues."

Government in their reply stated[47] that the number of copies of pamphlets and publications printed were based on (i) requirements calculated by the Ministry concerned, or (ii) based on estimates of market sales made by the Publications Division, or (iii) where a print order had to be of a certain minimum number if the publications were to be of any publicity value. The same uniform standards of stocks could not be applied to all publications. A review had been made which showed that the majority of the publications get sold in due course. Established business usage permitted stocks upto 20 per cent and it was only in a few cases that this limit had been exceeded and stocks piled upto 40 per cent. Government stated that every effort was being made to dispose of these stocks by an intensified drive for sale and distribution, specially the Five Year Plan publications.

Wastage of raw film in the Films Division

In the same Report the Committee while dealing with the Films Division referred to the wastages of raw film while shooting[48]. They observed—

The Committee were informed by the representative of the Ministry that for producing each documentary of 1,000 ft. a shooting margin of 4,000 ft. was allowed and for each newsreel a shooting margin of 5,000 ft. was allowed for every 1,000 ft. prepared. Without the relevant data the Committee are not in a position to state whether the shooting margins involved in production are justified or not. The Committee would, however, urge that increasing efforts should be made to cut down wastages in all stages of production and the efficiency of the cameraman should be judged not only by the quality of work executed but also by the extent of raw film utilised.

In their reply Government stated[49] —

The footage of raw film consumed by the documentary as well as newsreel cameramen in respect of each documentary and each newsreel is reviewed in the Films Division in order to see that there has been no wastage. No rigid ratio can, however, be prescribed without affecting the publicity value and the quality of the films, since the footage necessary will vary in accordance with the requirements of the subject and the circumstance of the location. In judging the abilities of the cameramen the percentage of unsatisfactory shots is kept in view as a relevant consideration

Wastages in Record processing in A.I.R.

While dealing with the Record Processing plant of the All India Radio in their Twelfth Report the Committee referred to the fact that while processing, there was a wastage of about 50 per cent of the recorded master discs[50]. The Com-

[47] 66R (EC—1LS), pp. 27-28
[48] 11R (EC—2LS), para 28, p. 10
[49] 66R (EC—1LS), p. 13
[50] 11R (EC—1LS), para 1-14, p. 57

mittee commented as follows regarding this matter:—

> **This wastage appears to the Committee to be abnormal. They urge that every precaution should be taken to prevent the wastage of this costly material. It would be advisable to seek expert advice in this connection.**

Government stated in their reply that a detailed procedure had been prescribed in the AIR Manual for preventing advoidable wastage[51].

Excess publication of time tables in the Railways

In their Twenty-eighth Report the Committee pointed out[52] that the various Railways were printing far more copies of their time-tables than were actually needed. In 1953-54 the Northern Railway sold as scrap about 82,172 copies. The figures for the Western, Central, Eastern and South Eastern, Southern, and North Eastern Railways for the same year were 67,803, 15,504, 10,783, 10,951, and 328 respectively totalling 1,87,541 copies. The total financial loss on this account would be of the order of Rs. 50,000 per annum. The Committee recommended that—

> **The reasons for the needless printing of a larger number of copies involving waste of money and energy both of machines and the men that operated them should be carefully examined by the Railway Ministry. Steps should be taken to avoid such losses in future**

Government in their reply stated that the recommendation had been accepted and was being implemented[53].

E. DELAYS

Delays in Administration

In the course of their examination of various Ministries of Government the Committee came across several instances of delays in the execution of work. Red tape was the one subject the Committee repeatedly wrote against. The Committee described[54] the malady in their Ninth Report as follows:—

> **"No people can ever tolerate delays and there must be something wrong with the working or organisation of a Department if it is not prompt enough to redress the grievances of the people. It cannot be said that our Government at the Centre and in the States has reached the requisite standard. Complaints are general that letters addressed to Departments are not answered at all or the answer is so belated that the purpose of the enquiry is defeated, worst of all, the answer is sometimes so indefinite routine or evasive that it disheartens a man and makes him feel hopeless of the future....Then there are delays between the Departments themselves. If a proposal is sent or if an enquiry is made by one Department from another, the usual complaint is that there is no proper or quick response from the other end. Under the pretext of examining the proposal or collection of materials an answer is delayed indefinitely. If consultation has to take place with several Departments of Government who are concerned in the matter, then the result is inordinate delay. In fact, where a Ministry or a Department initiates a proposal, it does so with the full knowledge that it will be several months—may be years in some extreme cases—before a final decision is arrived at. There is an urgent need that such delays are investigated and proper responsibilities fixed as to the persons who contribute to delays by their method of work. It has also to be examined whether delay is due to cumbersome procedure and methods in Government as at present no one knows how the delays occur except in isolated cases when some enquiry is instituted and obviously there is some excuse or other which prevents a probe into the records. There is, therefore, frustration everywhere and both the people and the Government Departments are exasperated over the situation.**

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[51] 31R (EC—2LS), p. 43.
[52] 28R (EC—1LS), paras 113—15, p. 35.
[53] 43R (EC—2LS), p. 25
[54] 9R (EC—1LS), paras 31—33, pp. 23-24.

The Committee recommended that an officer directly responsible to the Prime Minister should be appointed in the Cabinet Secretariat and it would be his duty to receive complaints from the public as well as Government Departments in regard to delays that occur in the various Government Departments and Ministries. Government, however, did not agree to this proposal and felt that an efficiency drive conducted by the O. & M. Division would be more useful[55].

Setting up of Government Press at Nasik

In their Fourth Report the Committee dealt with the delay in the setting up of a Government Press at Nasik[56]. Machinery for the Press had been obtained even before the land for the Press had been acquired. The machines had been received as early as March, 1949 and the crates in which these machines were packed were lying in the condition in which they had arrived. An officer from Delhi was periodically sent to inspect that machinery was intact there. The Committee commented on this as follows:

> It is obvious that Government did not make their plans in advance. The idea of bringing the machinery, before the land was acquired and the construction was put up, strikes as very odd to the Committee. Time and again they have stated that there is no co-ordination or proper planning behind the activities of Government.... It is interesting to note that on the one hand it is argued that for want of machinery Government printing work cannot be expedited and made into a plea for cutting down printing work and for distributing the overflow to private printing presses; on the other hand machinery worth lakhs of rupees is kept idle in closed boxes without any effort to utilise it for meeting emergent needs. The Committee feel that there is a *prima facie* case for conducting an enquiry into the matter as to who have been responsible for this bad planning and inordinate delay in making use of the machinery. There is no knowing that the machinery itself may have deteriorated and may as well have to be condemned in parts when it is finally installed. The Committee are unable to appreciate how public funds can be wasted in this manner. Unless superior officers in the Ministry make it their business to look into these matters deeply and from day to day, it is difficult for any administration to run on efficient lines. They, therefore, suggest that after the facts of the case are established, suitable action should be taken against those persons or authorities who are found responsible for the improper handling of the matter.

Government in their reply informed[57] the Committee that no particular officer was responsible for the delay. The machinery was ordered in July 1947 as it was considered that as a result of partition the printing capacity of Government would be seriously reduced. Soon after the machinery started arriving in 1949, a Committee was appointed to go into all aspects of Government printing. In a preliminary report submitted by the Committee it was recommended that a new press should be set up at Nasik and this recommendation was being implemented.

Government felt that as the facts of the case were well known a committee of enquiry would not serve any useful purpose. Disciplinary action was being taken against the officials responsible for the payment of heavy wharfage.

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[55] 47R (EC (LS), pp. 20 21.
[56] 4R (EC (LS), paras 47 49, pp. 23 25.
[57] 44R (EC (LS) pp. 31 33

The Eastern Economist commenting on this matter wrote as follows[58]—

> The labours of this Committee have revealed much that might have been hidden from the overworked audit department, which has been hopelessly submerged in the routine of compilation, and whose local audit has always a great deal to be desired. Among the points made by the Committee....is that in spite of the pressure of demand on Government presses, which has obliged the restive Ministries in recent times to short-circuit the red tape with the help of varitypers, machinery worth several lakhs ordered for a new press at Nasik is still lying unopened and practically uncared for...It is either a tribute to the deligence of the members of the Estimates Committee, or a reflection on the deterioration of a bureaucracy which has been practically screened from non-official criticism that the ...reports (of the Committee) are so packed as they are with useful suggestions and revelations of this kind.

The Times of India of March 28, 1951 in an editorial commented as follows[59]—

> The Committee are unable to appreciate how public funds can be wasted in this manner, ruefully observes the Estimates Committee in its report on the Ministry of Works, Mines and Power No more can the public, for the average citizen, burdened with imposts, is in no mood to relish the luxury of wasteful expenditure in high places. When he realises that this prodigal waste of public money is due not only to lack of coordination and ill advised planning but also to inefficiency, graft and an almost criminal disregard for public interests, has resentment is natural. Several instances of official mismanagement have recently been brought to light... It is proposed, for instance to open a new Government printing press at Nasik and in this connection the Committee points out that even before the land required for the buildings was acquired the machinery poured in and has been lying unopened in crates for over two years. Well may the Committee and the public wonder how Government keep machinery worth lakhs of rupees idle while simultaneously they plead that want of equipment compels distribution of overflow of printing work to private presses. The Committee rightly demands a searching investigation into the matter and the punishment of those responsible for the muddle.

Paper Plant at Dehra Dun

A similar case was pointed out by the Committee in their Sixth Report while dealing with the Forest Research Institute and Colleges at Dehra Dun[60]. Some plants and parts of machinery worth Rs. 15 to 20 lakhs had been imported in 1949 from foreign countries for the manufacture of paper. After four years machinery had still not been installed and in fact some of the machinery had not even been unpacked. The Committee commented on this matter as follows:

> The Committee did not find any justification for undue delay in the erection of the plant and feel that the responsibility for the wastage of public money resulting from such delay should be fixed after due investigation and the persons concerned punished

Government in their reply stated[61] that the delay in erecting the machinery was due to unavoidable delay in constructing the special type of basement required to house it, the C.P.W.D. having been faced with a number of difficulties in housing the structure. It was also stated by Government that there was no wastage of public money, for even if the machinery had been erected within six months of receipt, it would not have been possible to use it owing to the fact that it was not complete and many ancillary parts had

[58] *Eastern Economist* dated April 6, 1951.

[59] *The Times of India*, dated March 28, 1951.

[60] 6R (EC—1LS), paras 17-18, pp. 14-15.

[61] 52R (EC—1LS), pp. 123—139.

not been received from various suppliers. Particulars furnished by Government also showed that the order for the machine was placed in November 1948 but the ommission to order ancillary parts was discovered only in July 1950. Sometime after September 1950 it was further discovered by a foreign expert that data on loads of important parts had also not been obtained from the suppliers. These lapses contributed to the delay in the construction of the building for housing the machine. The building was finally constructed by the end of December 1954 and the machinery received upto end of December 1949 was erected by the end of January, 1955. The Committee did not accept the views of Government and observed as follows in their Fifty-second Report which referred to the action taken by Government on the Sixth Report[62]:

> The Committee originally commented on the delay in the election of the plant and recommended that responsibility for the wastage of public money resulting from it should be fixed. The reply that even if the machinery received had been erected within six months of receipt it would still have not been possible to use it owing to the fact that it was not complete and many ancillary parts had not been received, does not in any way absolve from blame the authorities who were responsible for the implementation of the project. On the contrary there were several other important contributory causes which led to the delay in erection of the machine and which require investigation. The Committee consider that there has been laxity in planning the project with consequent delay in putting the machinery to use. Funds have also been unnecessarily locked up for a very long time. Further when serious omissions in planning were noticed the responsibility was not duly fixed. The Committee are, therefore, unable to agree that there is no need for an inquiry into the matter and would, therefore, reiterate their recommendation that an inquiry should be conducted and responsibility fixed.

Recruitment and disposal of disciplinary cases by U.P.S.C.

In their Ninth Report the Committee referred to the delays in the U.P.S.C. in the matter of recruitment and disposal of disciplinary cases, and observed as follows[63]:—

> At present a good deal of criticism is made that the methods adopted by the U.P.S.C. in making recruitment to public services and in disposing of disciplinary cases referred to them are dilatory, complicated and irksome. The Committee should like the Government to examine the whole system in consultation with the U.P.S.C. and prepare a report as to the lines on which the present procedure could be improved in order that the delays are reduced to the minimum and decisions obtained quickly.

The Committee made several suggestions for expeditious disposal of cases and added[64]—

> It is vital that the revised procedure which has to be framed in connection with recruitment and disciplinary cases should provide for time limit within which matters referred to the U.P.S.C. should be disposed of in order that there are no delays and consequently no bottlenecks in the day-to-day administration. It is important that the decisions should be quick so that the individuals are in no doubt about their service matters and the Ministries are in a position to take action promptly, wherever necessary.

Government in consultation with the U.P.S.C. stated[65] that disciplinary cases being of a quasi-judicial nature required a thorough impartial and independent examination, which might also include a discussion at a meeting in the event of a difference of opinion among the members of the U.P.S.C. In more

[62] 52R (EC—1(L.S) para 4, pp. 3-4

[63] 9R (EC—1(L.S) para 56, pp. 43-44.

[64] *Ibid* para 57, p. 44

[65] 52R (EC—1(L.S) pp. 38—40

serious and complicated cases, the process took some time. Government assured that U.P.S.C. would however endeavour to reduce the time as far as possible. As regards recruitment, the drafting of the advertisement, receipt and scrutiny of applications, interviews etc., took considerable time. The minimum period for these essential processes was two months. Government felt that there was no reason to think that the time taken was excessive.

Tubewells at Karnal Farm

In their Tenth Report the Committee referred to the delay in the construction of tube wells at the Karnal Farm and observed as follows[66]:—

> As sum of Rs. 1,70,000 was sanctioned in 1958 for sinking three tube-wells in the Farm. When the Committee visited the Farm on December 28, 1958, only one tube-well was functioning and the other two were incomplete. It appears that the two wells have since started functioning. The Committee regret to note that more than five years should have been taken for the completion of these tube-wells, especially when the land was lying fallow and water was badly required for the cultivation of fodder, thereby making it necessary for the Farm either to purchase fodder from the market or to curtail the cattle population.

Government in their reply stated[67] that the construction of the tube-wells were in the hands of the C.P.W.D. At the instance of the Ministry of Food and Agriculture, the Ministry of W.H.&S. investigated into the matter and in June 1956 they expressed regret for the delay and intimated that the Purchase Officer concerned had been suitably admonished for the lapse in delaying the case.

Supply of equipment to I.D.R.I., Bangalore

In the same Report while dealing with the Indian Dairy Research Institute, Bangalore, the Committee dealt with the difficulty faced by the Institute in obtaining essential laboratory equipment for conducting experiments. They wrote as follows[68]:—

> As an example, it was cited that the purchase of a condensing unit for the production of lactose costing Rs. 10,000 was sanctioned two years ago, but the Director-General of Supplies and Disposals had not yet supplied the equipment. The Committee feel that such difficulties faced by the Institute will interfere with its efficient working and urge that research work in the Institute should not be made to suffer or languish by slackness and red tape on the part of Government.

Government in their reply stated[69] that the recommendation had been brought to the notice of the Ministry of Works, Housing and Supply who was concerned with the Stores purchase policy.

Bridge rehabilitation programmes of the Railways

While dealing with the Second Five Year Plan of the Railways in their Eighteenth Report, the Committee observed [70] that the bridge rehabilitation programmes like re-girdering, strengthening and construction of bridges—should not be allowed to linger any longer.

Government replied[71] that the Railway Board was alive to the question of rehabilitation and reconditioning of bridges and had taken steps to carry out as much

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[66] 10R (EC—1LS) para 19, p. 9.
[67] 58R (EC—1LS) pp. 18-19.
[68] 10R (EC—1LS) para 37, pp. 16-17.
[69] 59R (EC—1LS) p. 23.
[70] 18R (EC—1LS) para 21 (4), pp. 15-16.
[71] 4R (EC—2LS) pp. 18-19.

of such work as possible within the availability of steel, the other critical materials and funds. Much as the Board would like to do so, the rehabilitation programme of such works may be delayed due to non-availability of steel and fabricating capacity in the country and abroad.

Action on Reports of Committees appointed by Government

In their Twenty-Second Report the Committee commented on delays on the part of the Government in taking action on Reports submitted by Committees appointed by them and recommended as follows[72] as to what they thought should be the correct procedure in this regard:—

> The Committee would observe in this connection that whenever a Committee or officer is apointed by Government to examine any particular matter and make recommendations thereon, the Report should be examined in detail as soon as it is received. Thereafter, action should be taken to arrive at a decision on the recommendations. Action should then be initiated without delay to implement such of the recommendations as have been accepted, and a continuous review of the progress of the action should be maintained. A statement showing the recommendations contained in the Report, the decisions taken thereon, if any recommendations are not accepted the reasons therefor, and the action taken to implement the accepted items should be drawn up and maintained up-to-date from time to time. Except in case, when for sufficient reasons Government consider that it is inexpedient in the public interest to do so, the Report as well as the decisions of Government thereon should be given the widest publicity and copies thereof placed before Parliament.

Disposal of disciplinary cases in the Railways

Dealing with delays in the disposal of disciplinary cases in the Railways the Committee in their Twenty-fourth Report endorsed[73] the recommendation made by the Railway Corruption Enquiry Committee that the existing procedure of enquiry should be simplified so that in cases of removal or dismissal of a guilty employee, enquiry may be completed expeditiously.

Stating the action taken on the recommendation, Government informed[74] the Committee that steps were being taken to curtail the time taken for enquiries. It was also proposed to issue instructions to the Railways that if in a particular case the enquiry was not completed within 6 months the matter should be reported to the General Manager for special action to have the proceedings expedited.

Settlement of dues of retired Railway employees

In the same Report the Committee observed[75] that they had received numerous complaints about the abnormal delays in the settlement of dues of retired railway employees. The number of cases of arrears more than 3 years old on January 1, 1956 was 2,293. In regard to this matter the Committee wrote:

> Such heavy delays in the settlement of dues of a Railway employee who has retired after rendering a long service to the administration are unfair and the Committee hope that the drive will be further intensified with a view to ensure that all the old cases are liquidated. Proper machinery should be set up on all the Railways to ensure that such abnormal delays in payments do not occur in future. A reasonable and practicable

[72] 22R (EC 1L.S) para 8, p. 3.
[73] 24R (EC 1L.S) para 124, p. 43.
[74] 29R (EC 2L.S) pp. 25-26.
[75] 24R (EC 1L.S) paras 178-179, pp. 59-60.

limit for the settlement of dues should be fixed and rigidly adhered to.

The Railway Board should receive returns every three months and ensure that cases are disposed of by the Railways with the minimum delay. They should fix time limits and, where these are exceeded, explanations called and simple disciplinary action taken against those responsible for such delays.... The Committee further recommend that in future the figures of number of cases pending settlement on March 31 more than three years' old, more than two years' old, and more than one year old, together with reasons for the delay and action taken to remedy defects should be shown for each Railway Administration separately in the Annual Reports of the Railway Board.

Government in their reply stated[76] that the recommendations of the Committee had been accepted and that time-limits had been laid down for the settlement of dues of the Railway employees. A special machinery had been created for the expeditious settlement of dues of retired employees and for liquidating old cases. Government also stated that delays which were attributable to the slackness or carelessness of officials would be taken up with those concerned.

As regards publication of figures relating to pending cases in the Annual Reports, Government felt that this was not considered desirable as these were matters of internal Administration[77].

Disposal of cases by Railway Rates Tribunal

In their Twenty-Sixth Report the Committee referred[78] to the delays in the disposal of cases by the Railway Rates Tribunal and observed as follows:—

The Committee understand that the disposal of cases often takes a very long time, even more than a year. The Committee suggest that suitable simplified procedure should be evolved so as to ensure that a case referred to the Tribunal is disposed of within a period of six months.

Government in their reply stated[79] that the recommendations of the Committee were examined by the Railway Freight Structure Enquiry Committee who made several suggestions regarding the simplification of the rules of procedure of the Railway Rates Tribunal so that the Tribunal might be an expeditious instrument for adjudication on Railway freight matters. These were being implemented.

Settlement of claims on the Railways

In the same Report the Committee while dealing with compensation claims on Railways observed[80] that complaints about the delays in the settlement of claims were still very frequent and that the necessity of expeditious settlement of claims cases could not, therefore, be overstressed.

Government in their reply stated[81] that the observations of the Committee had been brought to the notice of the Railways.

Purchases of Railway stores through D.G.S. & D.

In their Twenty-eighth Report the Committee while dealing with the stores purchases of the Railways remarked as follows[82] regarding the arrears of indents placed with the D.G.S. & D.:

The Committee consider it rather unfortunate that as many as 111 indents should be in arrears for over two years

[76] 29R (EC-2LS) p. 41.
[77] *Ibid* page 67.
[78] 26R (EC-1LS) paras 34-36, p. 13.
[79] 32R (EC-2LS) pp. 37-39
[80] 26R (EC-1LS) para 48, pp. 16-17.
[81] 32R (EC-2LS) p. 13.
[82] 28R (EC-1LS) para 36, p. 13.

on March 31, 1955 and hope that with the implementation of the recommendations contained in the Report of the Stores Purchase Committee, there will not be any such large-scale delays on the part of D.G.S. &. D. As far as the Railways are concerned, the Committee suggest that apart from the discussions held between the Purchase Officers of the D.G.S.&.D. and the Controllers of Stores, the liaison Officer of the Railways attached to the Central Purchase Organisation should do their best by close co-ordination and constant chasing to ensure that such heavy delays do not occur in future. The Indian Railway Enquiry Committee (1947) had suggested that joint meetings of the Controllers of Stores and the Industry and Supply Ministry (now Works, Housing and Supply) should be held quarterly. The Committee understand that actually the meetings are held at half-yearly intervals. The Committee suggest that the position be reviewed and that the meetings should be held at quarterly intervals, when non-compliance of indents for over three months should be discussed and steps taken to reduce the delays.

Government accepted the recommendation in respect of close coordination and constant chasing by the Railway Liaison Officer to avoid heavy delays in the coverage and supply against railway indent[82]. In regard to the frequency of the meetings between the DGS&D and the Railways, Government stated as follows:—

> In view of the fact that regular day-to-day liaison through the Railways Liaison Officer already exists between the D.G.S.&D. and the Railways, and the supply position in general and of important items in particular is now being constantly watched and discussions held at high level meetings between the Board and the D.G.S.&D., the Board feel that the half-yearly meetings as at present held between the D.G.S.& D. and Controllers of Stores on the railways should be quite adequate for achieving the purpose in view and that the frequency of these meetings need not be increased.

In the same Report the Committee dealt with the question of canalising all purchases of the Railways through the DGS&D and observed[84]:

> The Committee have no objection in principle to the system of making purchases through the Central Purchase Organisation. The Committee are, however, anxious to see that the Second Five Year Plan of Indian Railways is in no way jeopardised due to delayed and inadequate supply of stores. The Committee hope that the various recommendations made by the Stores Purchase Committee will be pursued vigorously and as a result of the improvement brought about therein, the situation of continued short supply hampering the programme of works of Railways will not be allowed to recur, especially during the Second Five Year Plan.

Government indicated in their reply[85] that vigorous action was being taken at all levels to see that the Second Five Year Plan of the Railways was in no way jeopardised by delayed or inadequate supply of stores.

Stock verification in the N. E. and Northern Railways

In the Twenty-eighth Report the Committee pointed out[86] that the work of stock verification in the North Eastern and Northern Railways was in arreas and suggested that this should be cleared up immediately. They wrote further in this connection:—

> The Committee observe that the North-Eastern Railway was not only in arrears in respect of posting and reconciliation of price ledgers but also in respect of stock verification. A special investigation appeared necessary with a view to ascertaining the circumstances in which the arrears have accumulated and to fix responsibility on the staff concerned.

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[82] 42R (EC ...LS) pp. 34-36.
[84] 28R (EC ...LS) para 44, page 18.
[85] 42R (EC ...LS) p. 11.
[86] 28R (EC ...LS) paras 83-84, p. 2[illegible]

Government in their reply stated[87] that stock verification work had gone into arrears because the general increase in work could not be handled adequately for want of sufficient qualified staff for the purpose. The stock verifiers had to pass two departmental examinations and their scale of pay was only Rs. 80—200. Adequate number of staff was, therefore not forthcoming for these posts. With the recent allotment to Stock Verifiers of a higher prescribed scale *viz.*, Rs. 160—250 a solution to the main difficulty had been found and the arrears on the Northern Railway had been overtaken.

Disposal of scrap material on Railways

In the same Report the Committee also referred[88] to delays in the disposal of scrap material resulting in unnecessary locking up of money. They said:—

> It will be noticed that scrap material worth over Rs. 220 lakhs was lying with the Railways on March 31, 1955. If the Railways had taken serious steps in the matter, a substantial portion of this locked-up money would have been realised by them and become available for other urgent and useful purposes. The Committee suggest that the reasons for such heavy accumulation of scrap material should be properly investigated and suitable steps taken (i) to arrange for its expeditious disposal and (ii) to ensure that such heavy accumulations do not occur in future.

Government stated[89] in their reply that the recommendations had been noted and necessary instructions had been issued to the Railways.

Delays in payments for purchase of stores in the Railways

In their Twenty-Eighth Report on the Ministry of Railways the Committee observed[90] that delays in payments for purchases of stores often deter the suppliers from coming forward to supply articles to Government and, even when they come forward, they charge very high prices as they take into account the interest they would have to pay to bank or other financiers. The Committee felt that a maximum time-limit should be fixed by the Railways in respect of payments relating to purchases made departmentally by them. Prompt payments would create confidence in the minds of the suppliers and will enable them to quote reduced rates. The Committee proceeded to say—

> The Railway Board should also call for a half-yearly statement from individual Railways showing the cases of supplies for which payments have not been made for over 3 months together with the reasons thereof, with a view to analysing the causes and taking remedial steps for the delay in payment.

The Committee further recommended[91] that in respect of bills which had not been submitted for more than a month, explanations should be called for in every case of delay from the officials at fault and suitable disciplinary action taken against them.

Government accepted these recommendations and stated[92] that instructions had already been issued to the Railways to deal expeditiously with the bills for supplies of stores and that their attention was being drawn to these recommendations emphasising the importance of the matter. The recommendation suggesting the submission of half-yearly reports to the Railway Board was being implemented.

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[87] 43R (EC—2LS) pp. 39—40.
[88] 28R (EC—1LS) para 108, p. 32.
[89] 43R (EC—2LS) pp. 24—25.
[90] 28R (EC—1LS) paras 137—142, pp. 43—44.
[91] *Ibid* para 142 p. 44.
[92] 43R (EC—2LS) pp. 28—29 and 44—45.

1858 (c) LS—7.

Compilation of statistics

While dealing with Railway statistics in their Twenty-Ninth Report, the Committee commented on the delays in the compilation and publication of the statistics by the Railway Board[93]. The Wedgewood and the Kunzru Committees had commented on these delays and had pointed out that such delays rendered the statistics of little use and had suggested that measures should be taken to see that they were produced as quickly as possible. The Committee observed that there had actually been a deterioration in this matter compared to 25 years ago—while it took six months to bring out the Reports then, it took over 10 months now. The Committee commented on this as follows[94]:—

> The Committee consider that the position is very unsatisfactory and are not convinced by the explanations offered therefor. As for the organisational defects, it is for the Railway Board to see that they are rectified in time. At any rate, the continued failure year after year to bring out the statistics in time cannot be attributed to any temporary changes in organisations, which after all are pre-planned and decided upon in advance by the Board itself, who should accordingly have made all consequential arrangements necessary to prevent a breakdown in any aspect of administration. The Committee would like to observe in this connection that unless vigorous steps are taken and the seriousness of the position realised, the position may continue to be as bad as it is at present.

Government in their reply stated that the monthly statistics were now being obtained with sufficient promptitude. As regards annual statistics, they added that these were required for long term comparisons and, although efforts were being made to reduce the time lag, the scope was obviously limited.

Delays in implementation of Reports of various Committees

In their Thirty-third Report the Committee commented[95] on the delays in implementation of the recommendations contained in the reports of various Committees appointed to examine matters relating to the Railways. They wrote as follows:—

> The Committee consider that there is no point in constituting any Committee—departmental or otherwise—to go into any particular aspect of working or administration and not take any action thereon, once the Report is submitted by that Committee, especially after incurring so much expenditure and labour in collecting the requisite material. A time limit should be fixed by which decision should be taken and action initiated on the recommendation made by a Committee. Further, it should also be ensured that the recommendations of such committees are properly considered and not rejected merely on the plea that the committees so constituted are not expert bodies. It is a waste of public money to appoint committees, print and publish their Reports, but delay action on the recommendations or suggestions made by them for inordinately long periods.

Government in their reply stated as follows[96]:—

> Every effort is made to implement expeditiously the recommendations made by the various Committees appointed by Government from time to time. Sometimes, however, the recommendations are of such a nature that other Ministries and Railway Administrations have to be consulted before final orders are issued. In such cases some delay is unavoidable. The observations made by the Estimates Committee had, however, been noted.

Delays in recruitment of officers of the U.P.S.C.

While dealing with the question of recruitment and posting of staff in Tourist Offices, the Committee in their

[93] 29R (EC—1L.S) para 3, pp. 6-7.
[94] 71R (EC—2L.S) pp. 4-5.
[95] 33R (EC—1L.S) paras 118—120, pp. 43-44.
[96] 91R (EC—2L.S) pp. 37-38.

Thirty-fourth Report observed[97] that 20% of the Class I and Class II posts were lying vacant. The reason was that the process of recruitment was not keeping pace with the expansion of the Department. This was due to two factors *viz.* (i) the U.P.S.C. takes 6-8 months to make the recruitment and (ii) verification of credentials of candidates caused delays, sometimes extending to beyond 6 months. The Committee drew attention to their recommendation made in para 56(5) of their Ninth Report to the effect that the U.P.S.C. should be able to arrange to make recommendations within six weeks to two months of receipt of requisition in their office, and wrote further—

> It has been represented that in view of a large number of intermediate steps involved, it would be difficult to observe the time limit of two months. In that case, the Committee suggest that the time limit of four months may be fixed up to start with which should be rigidly adhered to ....In regard to the second factor,.. The Home Ministry should evolve a new procedure in consultation with the State Governments and the U.P.S.C., to reduce these delays to a period of two months at the most.

Government in their reply stated as follows[98]:—

> Recently sanction has been accorded for increasing the strength of the Commission by 2 Members and certain additions to the staff of the Commission have also been made. It is expected that this would help to accelerate the tempo of recruitment appreciably, and recruitment work may be completed in even less than the four-month limit recommended by the Estimates Committee.

With regard to the simplification of the procedure for verification of antecedents, Government stated[99] that a revised simplified procedure had been prescribed by which it was expected to complete the verification within a period of six weeks.

Delimitation of areas of Cantonments

While dealing with lands and cantonments under the Ministry of Defence the Committee in their Forty-sixth Report referred to the delay in the implementation of the recommendations made by the Central Committee on Cantonment[100]. This Committee was appointed to examine the question of delimiting the areas of Cantonments and the desirability of amending the Cantonments Act. The Committee wrote in this connection—

> Even though the recommendations were made five years ago, very little progress has been made in the implementation thereof....The consideration by the Central Committee took three years and the implementation has made little progress in five years. Even the decision said to have been taken two years back, after consulting the wishes of the local residents, has not been implemented yet.

De-requisitioning and de-hiring of lands

In the same Report while dealing with the Lands, Hiring and Disposals Organisation of the Ministry of Defence the Committee remark[101] about delays in the process of de-requisitioning and de-hiring of lands. They observed—

> The Committee understand that at present there are 224 requisitioned lands, the rental liability of which is Rs 16 lakhs annually. Some of the requisitioned lands are held by the States on a temporary basis for rehabilitation of refugees

[97] 34R (EC—1LS) paras 29—30, p. 10.
[98] 52R (EC—2LS) pp. 34-35.
[99] *Ibid* pp. 35-36.
[100] 46R (EC—1LS) para 89, p. 47.
[101] *Ibid* paras 100—101, p. 48.

and other purposes. The Committee were informed that there were a number of reasons why the work of de-requisitioning and de-hiring could not be carried out more expeditiously. The Committee find that the requisitioning and Acquisition of Immovable Property Act, 1952 is to expire in March, 1958. Therefore, the properties requisitioned during the last war should by that time be either acquired outright or released or converted into hirings towards that end. More concerted measures are necessary than have hitherto been taken to settle the question of permanent retention of lands as also the settlement of terminal compensation.

Disposal of pension cases in the Lighthouse Department

In their Forty-Seventh Report on Lighthouses the Committee dealt with the delay in disposal of pension cases of the staff attached to the Lighthouses of the former Rangoon District[102]. They wrote as follows:—

> The Superintendent of Lighthouses Calcutta is also entrusted with the work of completing all pension cases of the staff of the former Rangoon District 'general' lighthouses, which were transferred to the Burma Government in 1950. This itself has been a heavy item of work as most of the old relevant records were destroyed by the Japanese during their occupation of Burma in the last war. All the same, the Committee feel that seven years is too long a period to keep the pension cases of retired employees pending. They recommend that such residual cases should be closed without causing undue hardship to the parties concerned, by taking *ad hoc* 'decisions' if necessary.

Government in their reply stated[103] that the pension cases of all the retired employees except one had been settled and that action was being expedited to settle the outstanding claim.

Implementation of decasualisation schemes in Ports

In their Forty-eighth Report dealing with Port labour the Committee referred to the delays in the implementation of the de-casualisation schemes in the Calcutta, Bombay and Madras Ports[104]. The Committtee pointed out that the Government of India notified the Bombay Dock Workers (Regulation of Employment) Act, 1948. The Bombay Dock Labour Board which was to work the Scheme, was constituted in April, 1951, and the Scheme implemented for the Port of Bombay with effect from 1st February, 1952. The scheme for the Calcutta Port was notified in October, 1951, the Board constituted in September, 1952 and the scheme came into effect from the 5th October, 1953. The Madras Port Scheme was notified in March, 1952, the Board constituted in July, 1953, and the scheme brought into force from the 16th August, 1954. The Committee regretted the delays that have occurred in the implementation of the schemes.

Report of Port and Shipping Statistics Committee

The Committee also referred to the delay in the consideration of the Report of the Port and Shipping Statistics Committee made in July 1954, and made the following observations[105]:—

> The Report was apparently kept in cold storage for fifteen months till it was considered at the fifth meeting held on the 8th November 1955 by the National Harbour Board which endorsed the desirability of placing the port and shipping statistics on a sound basis on the broad lines indicated in the report of the Port and Shipping Statistics Committee.

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[102] 47R (EC—1LS) para 15, p. 6.

[103] 41R (EC—2LS) p. 9.

[104] 48R (EC—1LS) para 70, p. 23.

[105] *Ibid* paras 87—88, pp. 29-30.

Government in their reply explained the reasons for the delay as follows[106]:—

> The report of the Ports and Shipping Statistics Committee was received in August, 1954. As the Committee was set up by the National Harbour Board, the report had to be submitted to the Board for consideration. The previous (Fourth) meeting of the Board had taken place in April, 1954, i.e. before the submission of the report of the Committee. The report had to be printed and this took some time. For various reasons the next (Fifth) meeting of the Board had to be postponed from time to time and it was ultimately held in November, 1955 only. The report of the Committee could, therefore, be submitted to the Board only in November, 1955.

Progress of work at Kandla Port

In the same Report while dealing with the Kandla Port, the Committee remarked that the progress of the work had been behind schedule. Their comment[107] was:—

> The progress of work at Kandla port has been somewhat behind the schedule, the main reasons for which are:—
>
> (i) frequent shortages of cement;
>
> (ii) shortage of steel due to overall shortage of steel in the country, and
>
> (iii) late arrival of the dredgers and some cranes from United Kingdom etc.

Government felt however that the performance of the Kandla port had been satisfactory[108]. The construction of the Major Harbour started in 1954 and all the works were to be completed in 3 years. The Bundar was completed in October, 1955 the oil berth in April 1955, the cargo berths in March 1957 and the two other berths in July 1957. During 1957-58 the port handled 8·29 lakhs tons as against an estimated 8 lakh tons. During 1958-59 the traffic was expected to exceed the one million mark, whereas according to estimates the Port was expected to handle 1·2 million tons only in 1963. Government in the end pointed out:—

> Only a few minor items of work comprised in the first stage remain to be completed and considering that the reorientation of established trade channels take time, the performance of the Kandla Port has been satisfactory.

Survey of Minor Ports

While dealing with Intermediate and Minor Ports in their Fifty-first Report, the Committee observed that the progress of preliminary survey of Minor Ports was unsatisfactory and urged that the matter be expedited. The Committee wrote as follows regarding the matter[109]:—

> The Officer on Special Duty in his report as early as in May 1951 had rightly pointed out that there was great scope for the improvement and utilization of many of the Intermediate and Minor Ports at comparatively small additional capital outlay. He had further added that a hydrographic survey of these ports and their approaches, a planned scheme of dredging, provision of modern cargo handling appliances such as jetties, cranes, and tugs or launches, amenities for passengers etc would go a very long way to satisfy immediate needs. This recommendation, however, does not appear to have been given the attention it deserved. It was only in 1955 when the time came for the formulation of the Second Five Year Plan that it was realised that in view of the appreciable traffic handled at Minor Ports, the schemes for each port to be included in the Second Plan should be framed after

[106] 67R (EC—2LS) pp. 48—49.

[107] 48R (EC—1LS) para 186, page 62.

[108] 67R (EC—2LS) pp. 64-65.

[109] 51R (EC—1LS) para 19, pp. 9 to.

a careful study had been made of the engineering and economic aspect of development by a technical expert deputed by the Central Government in the light of the traffic needs and potential of each port. Accordingly, in May 1955, four years after the recommendation of the O.S.D. an engineering officer was specially appointed by the Ministry of Transport to go round the various minor ports to make a careful and detailed study of the needs of each port in close consultation with the State authorities concerned and to submit a report giving what in his view were the measures necessary at each port in order to ensure its utilization to the best advantage of the country. This officer has so far been able to visit only 68 minor ports out of some 226 in number spread over the coast line of 2900 miles. The Committee regard the progress in this direction as unsatisfactory. Out of these 226 ports, 150 are working ports. In view of the abnormal delay that has already occurred in this vital matter, the Committee hope that no further time will be lost in completing this preliminary survey at least in so far as the 150 working ports are concerned. The Committee understand that the schemes recommended by this engineering officer are estimated to cost in all Rs. 322.26 lakhs and that all of these have been included in the Second Five Year Plan.

Government in their reply stated as follows regarding the delay[110]:—

> Prior to the coming into force of the Constitution the Minor Ports of India were exclusively the responsibility of the respective State Governments and the Central Government were not concerned with their development or administration. Under the Constitution, 'Ports, other than Major Ports' are included in the concurrent list. The Central Government were thus assigned a specific responsibility in regard to minor ports for the first time under the Constitution.

Hydrographic survey of coastline

In the same report the Committee commented as follows[111] on the slow progress of the hydrographic survey of the coastline:—

> The Committee regret to note that the hydrographic survey of the coastline of India is progressing at a snail's pace. At the present rate it would take several decades before the survey of the entire coastline is completed....The Committee consider this very unsatisfactory and recommend that suitable measures should be taken to complete the hydrographic survey of the entire coastline of India within a period of ten years. The Committee also recommend that the conservation of the coastline should henceforth be the responsibility of the Union Government, as recommended by the Ports (Technical) Committee, 1946.

The Government in their reply stated[112] that the surveys were carried out by the hydrographic survey wing of the Indian Navy by two ships at present and that two more ships were being got ready for the purpose. It was added that if all the four ships suitably manned by trained personnel were available by 1960 it would, in the opinion of the Ministry of Defence, be possible to speed up the charting of the Indian Coast, but even then the survey would take about 20 years to complete. Commenting on this reply, the Committee wrote further as follows[113]:—

> The Committee feel that twenty years would be too long a period for completing the survey and therefore recommend that suitable steps be taken to complete it within the period suggested by them earlier.

Investing Defence Production Board with powers

In their Fifty-fourth Report on Ordnance Factories the Committee deplored the delay in investing the Defence Production Board with powers in spite of the fact that it had been set up 1 year

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[110] 82R (RC—2LS) p. 11.

[111] 51R (RC—1LS) paras 181-182, p. 53.

[112] 82R (RC—2LS) pp. 60-61.

[113] *Ibid* page—1.

and 3 months earlier. In regard to this matter they observed[114]:—

> While setting up the Defence Production Board it was indicated by Government that the question of delegating powers to it was under consideration. However, even one year and three months after the Board was set up—which itself was done two years after the Baldev Singh Committee was set up to recommend re-organisation of the Ordnance Factories—and one year after it had submitted its recommendations, the Government have not thought it sufficiently urgent or even necessary to invest it with any powers in spite of the clear and emphatic recommendation of the Committee in this respect.

Preparation of financial reviews of Ordnance Factories

In the same Report the Committee commented on the delay in the preparation of the Financial Reviews on the working of the Ordnance Factories as follows[115]:—

> The Deputy Financial Adviser (Factories) annually prepares a Financial Review on the working of the Ordnance Factories. So far, since the creation of the post in April 1952 only two Reviews—one covering the two years 1952-53 and 1953-54 and the other pertaining to 1954-55 have been prepared. It is observed that the first Review was prepared in July 1955 and the second in May 1956, i.e. over a year after the close of the year to which it pertained. The Committee hope that it would be possible for these Reviews to be prepared more expeditiously. They further hope that it would be possible in future for the Director General of Ordnance Factories to take more prompt and energetic action on the comments made by the Deputy Financial Adviser in his reports.

Government in their reply[116] stated steps had been taken to ensure that no avoidable delay takes place in the preparation of the Financial Review.

Legislation on National Highways

In their Fifty-Ninth Report the Committee referred to the delay in bringing the necessary legislation relating to national highways. They wrote as follows[117]:—

> Under Entry 23 of the Union List, Parliament has exclusive power of legislation with respect to Highways which are declared to be national Highways by or under law made by Parliament. A Bill was, therefore, introduced in Parliament on 7th August, 1956 by the Union Minister for Transport and Railways, known as National Highways Bill which provided for the declaration of 39 routes as National Highways and for their development, construction and maintenance. It is regrettable that it should have taken 9 years for introducing the National Highways Bill, when the Central Government had assumed full financial responsibility for the development and maintenance of certain routes from April 1, 1947.

Government in their reply stated[118] that upto January 26, 1950 the Centre did not have legislative jurisdiction over roads, which was a State subject. The Centre provisionally accepted full financial responsibility generally with effect from April 1, 1947 for the development and maintenance of certain roads considered by them to be suitable for inclusion in a system of national highways under an agreement then existing with the provinces. Giving the reasons for the delay in the enactment of the legislation Government stated that this was due to the following two reasons:—

> (i) Before enactment of any law designating certain highways in States as national highways, it was considered necessary to negotiate an agreement with States which would cover, *inter alia*, the

[114] 54R (EC—1LS) para 15, p. 7.
[115] 54R (EC—1LS) para 102, p. 47
[116] 117R (EC—2LS) p. 15.
[117] 59R (EC—1LS) para 8, pp. 3—4.
[118] 66R (EC—2LS), pp. 13—15.

apportionment of expenditure on roads, including National Highways. Also, before any discussions on the allocation of this expenditure could be started with States, the final outcome of discussions relating to motor vehicle taxation on which certain recommendations had been made by the Motor Vehicle Taxation Enquiry Committee in 1950 had to be known. The whole question of motor vehicle taxation was under examination by the Taxation Enquiry Commission and it was thought possible that the Centre might have to incur substantial expenditure in the form of grants to States to compensate them for any restrictions placed on the limit of their taxing powers. The final position as it emerged out of the decisions of Government on the recommendations of the Taxation Enquiry Commission had, therefore, a very important bearing on the proposed legislation relating to national highways.

(ii) Proposals were under consideration for the constitution of an enlarged Central Road Fund and State Road Funds in accordance with the recommendations of the Motor Vehicle Taxation Enquiry Committee, which were also supported by the Transport Advisory Council. The creation of these funds depended on the decisions of the Government on the recommendations of the Taxation Enquiry Commission

The Taxation Enquiry Commission (whose report was received early in 1955) did not support the recommendations of the Motor Vehicle Taxation Enquiry Committee in regard to the procedure for financing the development and maintenance of national highways and other connected matters. It was, therefore, decided that action might be pursued for undertaking legislation for the declaration as national highways of the highways in States for which the Government of India had provisionally accepted full financial responsibility under an agreement with States. The Bill (The National Highways Bill, 1956) was introduced in the Lok Sabha on the 7th August, 1956, and was passed by that House on the 13th August, and by the Rajya Sabha on the 30th August, 1956.

Construction of new roads

In the same Report the Committee observed[119] that there were great delays in the construction of new roads. They wrote in this connection:—

The Committee regret to note that the performance, after the withdrawal of British power from India and till the launching of the First Plan, was extremely poor in the matter of new construction. Four and a half valuable years were virtually lost in doing very little. The position of arrears in regard to the national highways was, broadly speaking, as under on the 1st April 1951 when the First Plan came into force:—

(i) 1490 miles of missing links to be constructed;

(ii) 147 major bridges to be constructed; and

(iii) 8000 miles of low grade surface road to be improved.

Government's reply regarding this matter was as follows[120]:—

The National Highway scheme came into force with effect from the 1st April 1947. In the case of all large public works, the expenditure and the resultant physical achievements are normally low in the first one or two years after the commencement of the projects, because much time is spent in this period on such preliminaries as drawing up detailed programmes of works to be executed, surveys, preparation of detailed plans and estimates for the works, and organisation and assembly of engineering personnel, materials, plant and labour. Such preliminary work takes more time in the case of road projects which are not concentrated in any one area. Apart from these normal causes of slow progress in the initial stages, development of National Highways was handicapped by abnormal difficulties, on account of the persistence of war-time conditions in securing transport controlled road building materials, coal for brick-burning and also trained technical personnel...while the difficulties mentioned were being overcome, the Government of India had to severely restrict development expenditure to such productive and to escapable works as were highest in the priority list on account of the financial stringency prevailing during the post-partition period and up to the beginning

[119] 59R (RC—1LS) para 18, p. 8.

[120] 66R (RC—2LS) pp. 15—16.

of the First Five Year Plan. This resulted in some of the approved national highways projects being held in abeyance, expenditure on some of the works in progress being slowed down, and a number of projects remaining unsanctioned. These difficulties accounted for the poor performance in regard to the development of National Highways during the period from 1947-48 to 1950-51. Better progress has been made from the commencement of the first Five Year Plan.

The Committee made the following remarks[121] on the unsatisfactory progress of works on roads of inter-State or economic importance:—

> The Committee note that the progress of works on roads of inter-state or economic importance both in terms of physical and financial achievements has not been very satisfactory as against the targets fixed for execution in the First Five Year Plan. The Committee hope that the tempo of work would be quickened in the Second Plan period and the sanctioned provision of Rs. 18 crores would be fully utilised.

Government in their reply submitted[122] that the main reason for the slow progress on these roads was financial stringency.

Craft for inland water transport

In their Sixty-first Report on Inland Water Transport, the Committee dealt[123] with the delay in the implementation of the recommendations made by Mr. J. J. Surie, an Inland Water Transport expert from Holland whose services were secured through the United Nations to advise on the economic feasibility of operating modern crafts on shallow waterways. The Committee wrote as follows:—

> The Committee regretfully observe that although nearly 4 years have elapsed since Mr. Surie submitted his report, the crafts recommended by him for the Ganga, Gogra and Brahmaputra rivers have not yet been received and put into operation and that surveys are still in progress for drawing up specifications for the diesel ferry vessel across the Brahmputra. The Committee feel that the need for operating modern craft on the shallow waterways of India is very urgent and that no time should be lost in carrying out necessary investigations and surveys obtaining the craft and placing the same in service.

Government in their reply stated[124] that the delay in construction was due to the fact that the D.G.S.&D. initially awarded the contract to a firm which unfortunately failed to carry out the order and fresh tenders had to be called. Except for two pusher tugs, the other craft recommended by Mr. Surie had been received. As regards the diesel ferry service across the Brahmaputra, the intention was to locate it at Gauhati but as the Railways had decided to construct a rail-*cum*-road bridge at Pandu this proposal to start this ferry service was being reconsidered in consultation with the Assam Government.

Sanction of loans to Shipping Companies

While dealing with Shipping in their Sixty-second Report, the Committee observed[125] that there were complaints of delays in sanctioning loans to Shipping Companies, sanctioning for disposal of vessels etc. The Committee wrote as follows regarding this matter:—

> The matters which are referred to the Ministry of Transport by the D. G. Shipping pertain to the grant of loan to

[121] 59R (EC—1LS) para 59, p. 18.
[122] 66R (EC—2LS) pp. 21—22.
[123] 61R (EC—1LS) para 84, page 24.
[124] 70R (EC—2LS) pp. 17—18.
[125] 62R (EC—1LS) para 12, p. 4.

shipping companies and other matters relating to policy. All sanctions for loans are issued by the Ministry on the basis of the recommendations by the D.G. References are also frequently made to the Ministry of Transport in respect of other matters connected with the grant of loans, when any departure from the usual terms of loan is to be incorporated in the loan agreement, extention of time for the shipping company for the repayment of loan instalments or payments of interest etc. As some complaints about delay in sanction of loans, disposal of vessels etc., were voiced, the Committee suggest that the existing procedure in this respect may be reviewed with a view to expedite the process.

Government in reply[126] stated as follows regarding the steps taken to prevent such delays:—

> The existing procedure has been examined and we have prescribed 7 days for scrutiny of the loan applications by the office of D.G. Shipping. Moreover, the examination of the application by the Ministries of Transport and Finance will be undertaken on a priority basis. It may also be mentioned here that the recent decision to appoint the Director General of Shipping as Joint Secretary in the Ministry will help in this connection as he will be able to furnish elucidation, where necessary, by personal discussion with the appropriate officers of the other Ministries concerned and delays consequent on correspondence between Delhi and Bombay will be avoided... So far as disposal of vessels is concerned, Director General of Shipping has full powers of sanction where the proposal is to sell to an Indian party. Proposals involving sale of vessels to foreigners with flag transfer only require to be referred to Government as inter-ministerial consultations are necessary sometimes before the approval of Government can be conveyed. Here also the functioning of Director General of Shipping as Joint Secretary will help in getting early orders.

Legislation regarding the sailing vessels industry

While dealing with sailing vessels in the same Report the Committee observed[127] that Government had passed a resolution in 1952 accepting many of the recommendations of the Sailing Vessels Committee for the organising and development of the sailing vessels industry. A special officer in the Directorate-General of Shipping reported shortly after his appointment that many of the suggestions contained in the Government resolution could not be implemented unless the sailing vessels were brought under legislative control. Till 1957 the necessary legislation had not been brought forward. The Committee considered that the delay was a matter of regret.

Annual Reports on Military Dairy Farms

While dealing with military dairy arms the Committee observed[128] that annual reports on the working of the farms were brought out very late. They wrote as follows:—

> General Administration Reports on the working of the Military farms are printed in respect of each year. The Committee observe, however, that they are brought out very late. The report of the year 1951-52 was signed in August 1953 but was printed only in 1954. The reports for 1952-53 and 1953-54 were signed in July 1955 and were printed in 1956. The report for 1954-55 was said to be in print when the Committee examined the representatives of the Ministry in January, 1957. The report for 1955-56 was still under compilation. The Committee consider this unsatisfactory. They recommend that annual reports should be compiled within three months of the close of the financial year to which they pertain.

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[126] 53R (EC—2L.S) pp. 2—3.

[127] 62R (EC—1L.S) p. 34.

[128] 64R (EC—1L.S) para 11, pp. 4—5.

Government in their reply stated[120] that there were certain difficulties in bringing out the Reports within three months. Government wrote as follows:—

> The supplementary cash book of the farms is closed after adjusting receipt and issue vouchers for transactions with other installations|departments *e.g.* CDP, DGS&D, MES etc., in the month of July. Lately, it has not been possible to close the accounts even by the end of July for want of requisite information from the different departments concerned. The annual accounts have to be audited and consolidated at Army Head-quarters, the accounts have then again to be audited by the Controller General of Defence Accounts. These processes take the compilation of accounts alone well into November. Compilation of the General Administration Reports thereafter takes some more months. Efforts will, however, be made in the future to compile and publish the General Administration Reports in a more attractive manner containing interesting details as soon after the close of the financial year concerned as possible.

Purchase of plant and machinery in Ordnance Factories

In their Sixty-eighth Report the Committee dealt with the delays in the purchase of plant and machinery in Ordnance Factories. They observed as follows[120]:—

> The Committee understand that in the past generally 6 to 18 months elapsed after a proposal was made by the Superintendent before it was finally approved for purchase. A typical case concerning the Ordnance Factory Dehra Dun, might be mentioned in this connection. The Superintendent concerned proposed in September, 1951 the purchase of some machinery for the Factory while the need for it was accepted only in September, 1952 and actually received only in June, 1956. The Committee consider such delays reprehensible and recommend that the need to be prompt and businesslike in such matters should be impressed on all concerned.

Government's reply stated[121] that these observations had been noted.

Overhauling and disposal of German Reparation machines

In the same Report the Committee dealt with the delay in the overhauling of German Reparation machines and also of their disposal by D.G.S.&D. They observed as follows[122]:—

> The Committee deplore the long delay extending over 2 to 6 years which took place in overhauling and installing these machines in the Ordnance Factories, and the somewhat casual manner in which this task was attended to by the authorities concerned, particularly when the allotment of these machines to the Ordnance Factories had itself been made on a priority basis. They feel that the overhaul of these machines should also have been taken up on a priority basis and speeded up by providing special or separate repair sections or even by securing the services of outside agencies for this purpose ... The Committee were surprised to find that the overhaul of the remaining 180 machines has not been accorded any priority even now. In reply to an inquiry regarding the time by which this work would be finished, the Director General of Ordnance Factories expressed his inability to indicate the time-limit and stated that it was being done by the Ordnance Factories along with normal maintenance. The Committee cannot but deprecate this attitude of complacency and indifference on the part of the authorities. They would recommend that immediate action be taken to overhaul the rest of the machinery by providing separate repair sections if necessary.

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[120] 35R (EC—2LS) pp. 15—16.

[121] 6IR (EC—1LS) para 55, p. 16.

[122] 56R (EC—2LS) page 4.

[123] 6IR (EC—1LS) paras 74—75, pp. 21—22.

Regarding the delay in the disposal of the machines the Committee had the following to say[183]:—

> The Committee deplore the slow rate at which these machines are being declared to the D.G.S.&D. for disposal. They regret to note that it took between 2 to 7 years to declare about 12 per cent of the surplus machinery to the D.G.S.& D. The Committee recommend that urgent steps should be taken to dispose of the remaining machines by quick means by adopting a suitable special procedure, if necessary, e.g. by circulating the lists of machines directly to other undertakings, the Chambers of Commerce leading industrialists, etc., as well as allowing them facility to inspect them.

Government in their reply stated[184] that there were several factors which retarded the progress of repair and overhauling of the machines. Some of the machines were received with certain parts missing and these had to be obtained. Some machines required major repairs. Technical details were not available in respect of some machines and the work had to be entrusted to experienced and skilled workmen of whom there was a shortage. Government also mentioned that a specialist team of foreign experts was entrusted with the work of repair/overhaul of 144 machines in connection with the ammunition project and it took the team 3 years to do the job in spite of the fact that special facilities were made available to it. Government wrote further—

> Compared to the performance of this team, the Ordnance Factories with their limited resources did their best to speed up the repair of these machines. The delay in repair which has taken place is due more to the nature and the volume of the work involved than to lack of interest or initiative on the part of the Ordnance Factories. It is doubtful if any outside agency would have carried out the repair work more expeditiously than the Ordnance Factories.... In the light of the above, it will be appreciated that the progress made by the Ordnance Factories in the overhaul and repair of a large number of G.R. machines in the absence of any specialist or expert knowledge cannot be regarded as unsatisfactory.

As regards the delay in the disposal of the machines, Government stated[185] that before the disposal of these machines, it was necessary to have a detailed examination by qualified personnel to ascertain the full extent of repairs/deficiencies. This process of inspection was retarded for want of qualified personnel. The machines which were required by Ordnance Factories for current and possible future production were then sorted out. This took some time. After this was done a list of the remaining machines was sent to HMT, HAL and BEL and the Transport Department of the Government of Bengal and only after this was the actual surplus decided upon and reported to the D.G.S.&D. for disposal.

F. Delegation of Powers

The subject of proper decentralisation of authority has been given considerable importance by the Committee in several of their reports. The Committee have stressed that adequate delegation of powers is necessary and over-centralisation should be avoided in order to bring about efficiency in administration. Within the broad limits of policy, decisions should be taken at lower levels, as otherwise the senior officials find themselves overburdened

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[183] 68R (BC—1LS) paras 76-77, page 22.

[184] 96R (BC—2LS) pp. 63—67.

[185] *Ibid* pp. 7—69.

and this results in delays in administration. Some of the cases pointed out by the Committee are given below.

Decentralisation of work in the Ministries

While dealing with the Ministry of Industry and Supply in their first Report the Committee wrote as follows[136] regarding decentralisation of work in Secretariat offices:—

> Superintendents are usually Gazetted Officers and a large measure of responsibility for disposing of routine matters should be placed on them. They are highly paid officials, their pay ranging from Rs. 500 to Rs. 800 p.m. They should not merely be required to check up the work of their subordinate but should take final responsibility in some matters so that congestion of routine work at Under and Deputy Secretary level is relieved. Similarly a large number of matters should be decentralised for disposal by Under Secretaries so that Deputy Secretaries may be left only with questions of policy.

The Committee reiterated[137] this recommendation in their Third Report while dealing with the Ministry of Commerce.

Government stated[138] that instructions to this effect had been incorporated in the Manual of Office Procedure and that at present Superintendents were disposing of many cases finally.

Disposal of references from Subordinate Offices

In their Second Report on the reorganisation of the Secretariat and Departments of the Government of India the Committee observed[139] that proposals received by Ministries from Subordinate Offices were usually subjected to scrutiny by an Assistant who criticises or notes on such proposals in the first instance. The Committee considered this a waste of effort and lack of courtesy. They recommended that proposals made by officers of a subordinate department or a Ministry must be attended to by officers of equivalent or higher rank in the receiving Ministry and should be disposed of without their being sent through the mill of Assistant to Secretary forwards and backwards. The Committee also recommended[140] that Secretariat Officers should as a rule confine themselves to matters of policy and should devolve complete responsibilities upon the heads of Subordinate Offices to carry out the day to day administration in accordance with that policy. They observed further—

> The system of taking the orders of superior officers in each and every case should be deprecated. Each officer should be given full measure of responsibility and he should be accountable for that. They should not have to submit for approval every action of theirs to their senior officers. This is one of the ways in which the Secretariat of the government can be run more efficiently and methodically.

These recommendations were examined by the O & M Division who stated[141] that the Division had been conscious of the need and had been doing its best to eliminate unnecessary noting in the examination of proposals at lower levels and the time and effort lost in the movement and submission of papers all along the whole range of usual hierarchy. They wrote further as follows:—

> The efforts of the O&M Division are already directed towards securing expeditious disposal of papers "without their being sent through the mill of Assistant to Secretary forwards and backwards". The changes in procedure will ensure

[136] 7R (EC—1LS) para 11, page 5.
[137] 3R (EC—1LS) paras 2 & 3, p. 2.
[138] 17R (EC—1LS) pp. 2—3.
[139] 2R (EC—1LS) para 12, p. 7.
[140] *Ibid* para 11, p. 8.
[141] 36R (EC—1LS) pp. 1—34 and 96—98.

that proposals emanating from another Ministry or from an attached and subordinate office would receive the attention of an appropriate officer right at the initial stage.

It is already the accepted policy of Government that the Secretariat Department should broadly confine themselves to policy and the execution of policy should be entrusted to executive organisations like attached and subordinate offices. The existing organisational set up, by and large, conforms to that pattern.

Greater financial powers to Heads of Departments

In their Fourth Report the Committee recommended greater delegation of financial powers to Heads of Departments for the execution of petty works and repairs[143]. They observed:

In order to avoid unnecessary delay in the day-to-day performance of the normal functions of a Ministry greater financial powers should be devolved on the Heads of Ministries and Departments. They understand that at present the Heads of Departments and Ministries can incur expenditure upto Rs. 2500 (Rs. 5,000 in the case of the Posts and Telegraphs Department) on the execution of petty works. In view of the existing high costs of materials and labour, etc. these limits appear to be rather low. The Committee therefore suggest that the existing financial limits within which expenditure on petty works, maintenance and petty construction works can be incurred by the Heads of the Departments should be suitably raised so that there is no delay in the execution of such works as a result of the normal routine of obtaining prior sanction for petty sums.

Government accepted[144] these recommendations and stated in their reply that orders had been issued enhancing the existing financial limits within which expenditure on petty works and repairs could be incurred by the Heads of Departments and Ministries.

Interpretation of rules relating to service matters

In their Ninth Report the Committee recommended[145] that it was unnecessary for the Ministry of Finance to maintain a separate department for interpreting rules relating to service matters and for giving sanctions in exceptional cases. The Committee recommended more decentralisation in this matter. They wrote—

In the administrative Departments concerned or within the Service itself, there should be as much decentralisation as possible in order that there is quicker disposal of the service problems and delays in the interpretation of the rules are avoided. Various authorities should be encouraged to take decisions and to decide cases once for all, it being left to Audit to see that there has been no grave misuse of the powers and wilful misinterpretation. In such cases, the Officer concerned should be punished and a rule laid down that in proved cases of neglect, recovery of the amount which was sanctioned by the authority may be made from the Officer himself..... The Committee are also not in favour of encouraging references on petty matters to higher authorities or centralising them in the Ministry of Finance. Such sanctions should be issued rarely and exceptions to the rules should be fewer so that the tendency to appeal and get round the rules is avoided as far as possible.

In implementing these recommendations government appointed[146] a Codification Committee consisting of representatives of the Ministries of Home Affairs, Finance and Law and the Auditor General in order to bring the existing rules relating to service matters in line with the present requirements. The question of decentralisation of authority

[143] 4R (BC—II.S) para 84, p. 41.

[144] 44R (BC—II.S) pp. 11—13

[145] 9R (BC—II.S) para 11, pp. 39—40.

[146] 57R (BC—II.S) pp. 29—31.

for improving speed and quality of disposal of Government business was also examined by the O & M Division and several measures were taken towards this end on the basis of recommendations made by them. These included enhancement in several directions of powers delegated to Ministries in financial and cognate matters which hitherto required the prior concurrence of the Finance and Home Ministries and enhancement of the powers of Heads of Department.

Delegation of authority in Ministries

In their Ninth Report the Committee also made various recommendations for the improvement of Secretariat procedure by delegation of authority[146]. They recommended that policy should be initiated by Minister or Secretary of the Ministry and that specific authority should be vested in each of the other grades of officers to dispose of cases at their own levels. The tendency to refer cases to a higher authority merely in order to ensure one's safety should be deprecated. In order to eradicate delays and red tape, each Ministry should insist that its officers take decisions at their own levels. The Committee wrote further—

> When powers of disposal of work are delegated to Officers, it should be an invariable rule that such Officers are not criticised merely because their approach to the matter has been different from that of the higher Officers. An Officer who is careless or negligent in his work and his disposals show his incompetence or lack of understanding should be either transferred or punished. The Officers, however, should be encouraged to take responsibility and not to waver for fear of possible criticism by the higher Officers. Whenever a Secretary or a Senior Officer reviews the work of a Junior Officer, it should be his endeavour to tell him how he should deal with such matters in future, in case a different view from the one taken by the Junior Officer is to be taken. There should also be test checks of work of Junior Officers by Senior Officers who should show by model disposals, notings and preparation of model files what is expected of a Junior Officer. It does not do good to anybody to make observations of general character and such remarks, instead of improving, discourage Officers.

Government stated[147] in their reply that these recommendations were covered by existing instructions. Suggestions on the lines recommended by the Committee had also been made to the Ministries and Departments in instructions issued by the O & M Division.

Work of the Director I.D.R.I., Bangalore

While dealing with the Indian Dairy Research Institute, Bangalore, the Committee observed[148] that the Director of the Institute was saddled with many routine administrative matters like signing of bills, payment orders etc. The Committee felt that an officer subordinate to him should be delegated authority to a certain extent so as to enable the Director to devote more time and attention to real research work.

Accepting this recommendation, Government appointed an Assistant Administrative Officer to relieve the Director of routine administrative work[149].

Supervision by Railway Board over operation of Railways

In their Seventeenth Report the Committee while dealing with operation on the Railways observed[150] that a great

[146] 9R (EC—1LS) paras 61—63, pp. 49—51
[147] 57R (EC—1LS) pp. 11—12 and 39
[148] 10R (EC—1LS) para 46, page 21
[149] 58R (EC—1LS) p. 10.
[150] 17R (EC—1LS) paras 133—135, pp. 44—45.

deal of high level supervision was being exercised by the Railway Board. The Committee in the context observed:

> In the normal circumstances, the Committee would have regarded such a detailed scrutiny of operation on individual railways by the Railway Board's Office as an interference in the sphere of the General Managers. In view of the critical position of rail transport in the country, they are, however, of the opinion that at present this detailed control from the Railway Board's Office must continue. The control may be progressively relaxed, as the position improves with the improvement in the railway equipment and facilities. The Committee would like to stress here that different operating statistics that are submitted at various levels should be carefully scrutinised and prompt remedial action taken wherever necessary.

Government in their reply informed[181] the Committee that the recommendation had been noted.

Powers of Regional Supdt., Railways, Pandu

In their Nineteenth Report the Committee while dealing with Administration in the Railways, recommended[182] that the Regional Superintendent in overall charge of the Pandu region should be delegated greater authority than then existing. They wrote as follows:—

> The North Eastern Railway has its own peculiar problems, the most important one being that this Railway stretches itself across the vast sub-Himalayan region, with the result that the effective control from the zonal headquarters at Gorakhpur, particularly in the extreme east covered by the Pandu region becomes difficult. It is therefore, necessary to post a sufficiently senior official at Pandu in overall charge of the Pandu Region. He should be more or less in the position of a *de facto* General Manager and should be able to take decisions on the spot without frequent reference to the Head Office. Only the questions of broad policy should be left to the General Manager at Gorakhpur. The Committee understand that a Regional Superintendent in overall charge of the Pandu Region has recently been provided. The Committee hope that this Officer will be given sufficiently wide powers to fulfil the requirements envisaged above.

Government in their reply stated[183] that this recommendation had been implemented with effect from September 21, 1955 subject to any modification that may be necessitated by the introduction of the Divisional System on this Railway.

Settlement of claims on Railways

Dealing with the problem of settlement of claims on the Railways in their Twenty-sixth Report, the Committee observed[184] that there were 1,697 cases on September 1, 1955 which had been pending for periods exceeding two years. The Committee recommended that—

> With a view to expediting the settlement of claims, powers to sanction payment of claims may be delegated to a greater extent.

Government did not accept this recommendation and stated[185]—

> While greater delegation of power for settlement of claims will to some extent result in expeditious settlement it has to be balanced against need for appropriate scrutiny. Taking into account all aspects it is considered best to retain the existing delegation of powers.

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[181] 6R (EC—2L.S) p. 45.

[182] 19R (EC—1L.S) para 12, pp. 23—24.

[183] 18R (EC—2L.S) p. 5.

[184] 26R (EC—1L.S) paras 80—82, p. 24.

[185] 32R (EC—2L.S) pp. 42—43.

Purchase of Stores on Railways

In their Twenty-sixth Report the Committee dealt with the purchase of stores on the Railways and observed[156] that at present there was not enough decentralisation in the matter. They wrote as follows regarding this matter:—

> As the ceiling limit has, however, been adopted only recently, the results will be watched by the Railway Board. While the Committee have no objection to a cautious policy being followed in the matter, they would suggest that the limit should be enhanced, if necessary, after gaining experience about the manner in which the present limit facilitates actual purchases..... The Committee feel that in the Railways too the Divisional Superintendents should be authorised to make local purchases upto a suitable specified limit with the object of giving encouragement to local cottage and small-scale industries. This will also incidentally serve to avoid unnecessary haulage.

Government in their reply stated[157] that this suggestion had been accepted. As regards purchases from small scale and cottage industries Government stated as follows:—

> The Divisional Superintendents are already authorised to make purchases of limited categories of items which are locally available from Cottage Industries. In accordance with the suggestion made by the Estimates Committee, the question of enlarging the category of items will be examined.
>
> With regard to the larger question of giving assistance to the Cottage and Small Scale Industries, the Ministry of Railways is awaiting the decision of Government on the extent and the method to be adopted in giving encouragement to the Small Scale Industries through Government purchases.

Powers of General Managers of Railways in regard to staff matters.

In their Thirty-Third Report the Committee recommended[158] that additional powers should be delegated to General Managers of Railways to the maximum extent possible particularly in respect of incurring expenditure and dealing with staff matters. The Committee added further:—

> In this connection, the Committee would like to give below an extract from the Report of the Indian Railways Delegation to the Soviet and other European Railways. While discussing the administration of Railway Units, the Delegation says:
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> The impression gained was that in matters of operation and day-to-day working, and within the limits of the budgetary allotments sanctioned for each railway, the General Manager had considerable powers of initiative and control; he was personally responsible to the Minister for the working of his system. A wide measure of devolution of control seemed to prevail and a balance between over-centralisation of power at the Ministry on the one hand and an undue autonomy of the individual system on the other was sought to be attained.

Decentralisation of powers in Community Development work

In their Fortieth Report on Community Development the Committee wrote[159] as follows regarding the decentralisation of powers in the work of Community Development:—

> The Committee feel that the importance of decentralisation of powers in a vast Community Development Programme and its value in the field of co-ordination does not appear to have been fully realised, otherwise the action taken now in appointing a special officer for the purpose should have been taken at the initial stage of the programme.....The de-

[156] 28R (EC—1LS) paras 45—46, pp. 18—19.

[157] 43R (EC—2LS) pp. 14—15.

[158] 33R (EC—1 LS) paras 130—131, p. 48.

[159] 40R (EC—1LS) paras 162—163, pp. 47—48.

legation of powers in the opinion of the Committee is an important step and leads to a very clear concept of division of functions. The Committee, therefore, recommend that special efforts should now be made to see that delegation of powers to the required extent is completed in all the States with the least possible delay.

Government in their reply stated[160] that this was being done. Most of the State Governments had actually delegated powers to their officers on the lines of the Ministry of Community Development.

Collectors and Community Development work

In the same report the Committee observed[161] that collectors had been associated actively with the Community Development work in each district. In some States the Collectors, in spite of their best efforts, had not been able to give sufficient time to development programme. The Committee made the following observations regarding this matter:—

> The Committee consider it absolutely necessary that if the Collectors are to be made responsible for the development work in the district under their charge, they must devote sufficient time to this aspect of the work and acquaint themselves first hand with the interior of the district and the developmental programme connected therewith. If the burden of routine work is found to stand in the way of their devoting sufficient time for this purpose, steps may be taken to relieve them of some of the routine and less important duties, wherever necessary.

Government's reply to this was as follows[162]:—

> Suggestions already made by the Ministry of Community Development to the States include the provision of a special assistance to the Collector to enable him effectively to guide and supervise development work. The recommendations of the Estimates Committee have been referred to the high level team on C.P. & N.E.S. set up under the auspices of the Committee on Plan Projects to look into the matter and suggest what precise measure of assistance should be given to the Collector to relieve him of some of his normal or routine duties so as to enable him to devote more time to development work.

Financial powers of Engineer-in-Chief Lighthouse Department

In their Forty-Seventh Report on Lighthouses the Committee observed[163] that indents placed by the Lighthouse Department on the DGS&D for the improvement and development of lighthouses, as envisaged in the Five Year Plans, were subject to heavy delays, thereby hampering the progress of schemes. Efforts had been made to reduce these delays through personal contacts with the DGS&D periodically. As another measure to ensure that schemes were not unduly delayed for want of stores the Committee recommended an increase in the financial powers of the Engineer-in-Chief of the Department. They wrote as follows:—

> The Committee suggest that in order to reduce the delays in procurement of stores, the Engineer-in-Chief, Lighthouse Department, may be authorised to make direct purchases upto Rs. 5000 instead of upto Rs. 2000 at present.

Government accepted[164] this suggestion and intimated that necessary orders authorising the Director General of Lighthouses and Lightships (formerly designated as Engineer-in-Chief) to make direct purchases upto Rs. 5000 at

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160 64R (EC—2LS) p. 10.
161 40R (EC—1LS) para 164, p. 48.
162 64R (EC—2LS) p. 11.
163 47R (EC—1LS) para 34, pp. 11-12.
164 41R (EC—2LS) p. 3.

any one time of specialised Lighthouse equipment, spares, etc., had been issued.

Delegation of powers in Ordnance Factories

In their Fifty-fourth Report while dealing with Ordnance Factories the Committee observed[165] that the Director General of Ordnance Factories is the head of vast organisation employing 67,000 men and having an annual outturn of Rs. 15 crores, even in peace time, and thus he holds a key position in a very important field of Defence Production in Ordnance Factories, comparable to that of a Managing Director of a commercial firm. The Committee remarked as follows regarding this post:—

> The Committee need hardly add that the selection of an officer to hold such an important post should be based on the highest considerations of merit, drive and integrity. At the same time, if he is to discharge his functions and responsibilities satisfactorily and efficiently, it is necessary that he should be delegated sufficient powers, authority and discretion, comparable to that of the Managing Director of a limited company in the public sector.

Government in their reply[166] stated that the recommendations had been noted and, in fact, had already been, or were being, followed from time to time. Sufficient powers, authority and discretion had already been delegated to the DGOF as far as possible and necessary.

In regard to the Superintendents of Ordnance Factories also, the Committee recommended[167] delegation of sufficient authority in all matters consistent with their responsibility. The Committee wrote further—

> It should be watched by the Director General of Ordnance Factories centrally, that authority delegated is properly and sufficiently exercised and that unnecessary references are not made to him. The Committee understand that the powers of Superintendents were only recently enhanced to their present limits, but they feel that there is still scope for a further review. They also consider that the powers should be exercised by the Superintendents in consultation with a Factory Board to be set up for each Ordnance Factory consisting of himself, the Works Managers, one or two selected Assistant Works Managers, the Factory Accounts Officer and also, where necessary, the Labour Officer for the efficient day-to-day conduct of work, with rules similar to those recommended for the Executive Board of the Director General of Ordnance Factories.

Government in their reply stated[168] that the DGOF and Superintendents of Ordnance Factories had already been delegated powers. The position of further enhancement of their powers was examined recently by the Defence Production Planning Committee and as a result further powers had since been delegated.

Financial Powers of Military Engineer Officers

In their Fifty-Sixth Report also on Ordnance Factories, the Committee commented[169] on the financial powers of Military Engineer Officers. Their power of local purchase was Rs. 2000 and during the years 1951-52 to 1955-56 the local purchase constituted about 10.3% of the total value of the stores

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[165] 54R (EC—1LS) para 40, pp. 18—19.

[166] 117R (EC—2LS) p. 4.

[167] 54R (EC—1LS) pp. 22-23.

[168] 117R (EC—2LS) pp. 21 and 50.

[169] 56R (EC—1LS) para 38, p. 12.

purchased. This financial limit had been raised to Rs. 10,000 and it was expected that the percentage of local purchases would increase to 40%. The Committee commented as follows regarding this matter:—

> It has to be ensured that the authorities who exercise these powers do so judiciously and with due regard to economy as well as efficiency. Since the total value of the stores locally purchased will be very large, even a small percentage of avoidable expenditure would result in large sums being wasted. The Committee would, therefore, recommend that there should be a periodical review of the exercise of the powers of local purchase by various authorities.

Government in their reply stated[170] that the direct purchase powers were reviewed in February 1958 and it was decided that the existing powers did not require revision. The Committee reiterated that the manner in which the authorities to whom powers had been delegated had exercised those powers might be reviewed.

Powers of executive and administrative heads in Ordnance Factories

In their Sixty-Eighth Report also on Ordnance Factories the Committee recommended[171] a review of the powers of the executive and administrative heads in the Ordnance Factories. They wrote as follows:—

> The Committee feel that a review of the powers of the executive and administrative Heads of an Industrial organisation like the Ordnance Factories in the matter of plant and machinery is called for, as with the present high prices the present power would purchase very little and consequently would offer little scope for the exercise of those powers by the authorities. They recommend that these officers should be delegated powers commensurate with their status and responsibilities, and that there should also be a periodical review of these powers with reference to their exercise as well as the prevailing market prices. They would, at the same time, stress that the exercise of these powers by the Superintendents should be regulated in such a way as to bring about standardisation of equipment in all the Factories as far as possible.

Government in their reply stated[172] that this matter was under the active consideration of the Ministry of Defence.

The first duty of a Member of Parliament is to do what he thinks in his faithful and disinterested judgment is right and necessary for the honour and safety of his country.

—SIR WINSTON CHURCHILL.

[170] 40R (BC—2LS) pp. 49—51.
[171] 68R (BC—1LS) para 64, p. 19.
[172] 5GR (BC—2LS) p. 5.

Lok Sabha : 'No-Expenditure Certificate' in respect of Bills

Under Rule 69(1) of the Rules of Procedure of Lok Sabha, a Bill involving expenditure has to be accompanied by a financial memorandum inviting particular attention to the clauses involving expenditure and also giving an estimate of the recurring and non-recurring expenditure involved in case the Bill became law. Such a Bill also attracts the provisions of article 117(3) of the Constitution whereby recommendation of the President is required for the consideration of the Bill in the House. Recently, in the case of the Khadi and Village Industries Commission (Amendment) Bill, 1961, which had not been accompanied by a financial memorandum and the requisite recommendation of the President it was felt on scrutiny in the Secretariat of the House that the Bill, if enacted, might involve some expenditure from the Consolidated Fund of India. The Ministry concerned was asked either to forward a financial memorandum and obtain the recommendation of the President, or in the alternative to furnish a 'No-expenditure Certificate' in respect of the Bill. 'No-expenditure Certificate' was furnished by the Ministry. A similar certificate was received in the case of the Industries (Development and Regulation) Amendment Bill, 1961 and the Dock Workers (Regulation of Employment) Amend-Bill, 1961 also.

* * *

Lok Sabha : Reference to Individual Officers during debate : Not permissible unless advance notice given to Minister

On November 25, 1961, during the discussion on the motion for consideration of the Institutes of Technology Bill, a member referred to the case of a professor of the Institute of Technology, Kharagpur whose services had been dispensed with.

Interrupting the member the Deputy Speaker remarked:

> There is one thing which I might bring to the notice of the hon. Member, that is the practice—and a very wholesome one—that if some individual cases are to be referred to, prior notice should be given so that the Minister might be ready with facts.
>
> Then again, there is the second thing. When the hon Member takes up a particular case, then it appears as if a special representation is being made on behalf of the particular person or persons, and the position of the Minister or the Government becomes rather difficult Care should be taken that unless it is very necessary individual cases should not be referred to, because it becomes rather embarrassing in this House. It is broadcast everywhere and it is representation on behalf of one individual employee It can be taken up with the Minister or Government*.

*L. S. Deb. 25.11.1961, cc. 1328-29

REFERENCES ON PARLIAMENTARY PRACTICE

Allotment of Seats and other facilities to Independent Members

Q. (1) Whether seats are allotted to individual Independent Members? Where and how are these seats allotted?

(2) Whether any other facilities are provided for such Members?

Ans. (1) In the Opposition blocs certain Seats are earmarked for Unattached Members who do not belong to any party or group and the allotment is decided by the Speaker. Senior Members amongst them who have earned a distinct position by virtue of their long and devoted service to the House and their standing in public life may in appropriate cases be allotted seats in the front rows if there is accommodation available after meeting the claims of organised parties. Whether an unattached Member who has been allotted a seat in a back row takes active part in the proceedings of the House, the Speaker may, on a request made to him, allot the Member a seat in the front row, if this can be done conveniently without disturbing the seating arrangements of other Members.

(2) Opposition groups have been allotted one common lounge in the Lobby of the Central Hall which is equipped with furniture, sessional telephone and a forms rack. Unattached Members also have access to this lounge in connection with their parliamentary work.

• • •

Appointment of Members of Parliament on Government Committees

Q. What is the procedure followed in respect of the appointment of Members of Parliament to Committees constituted by Government in their capacity—

(i) as Members of Parliament; and

(ii) as men of eminence likely to prove of special use to the Committee in the particular task upon which it is engaged?

Is the Speaker consulted in making these appointments?

Ans. If the parent statute or Government resolution under which a Committee is constituted provides for representation of Lok Sabha on the Committee, members to represent Lok Sabha are either elected by the House or nominated by the Speaker, as may be provided in the related statute or resolution. In the case of election, after a motion is adopted in the House, election based on the principle of proportional representation by means of the single transferable vote is held in accordance with the regulations made in this behalf by the Speaker. Where members are to be nominated, the Speaker proceeds to nominate them on receipt of a specific request from the Ministry concerned.

If there is no provision in the parent statute or resolution for representation of Lok Sabha on the Committee, it is not the practice for the Speaker to recommend any names from Lok Sabha for nomination by Government. If any request for names is received from Government, they are advised to consult the Minister of Parliamentary Affairs.

• • •

Committee on Government Assurances

Q. Whether the assurances contained in the President's Address and the Finance Minister's Budget Speech are also culled out and pursued by the Committee on Government Assurances of Lok Sabha?

Ans. Under Rule 11 of the Rules of Procedure of Lok Sabha, a sitting of the Lok Sabha is duly constituted only when it is presided over by the Speaker or any other member competent to preside over a sitting of the House. The House is therefore not considered to be sitting within the meaning of the above Rule when the President addresses both Houses of Parliament assembled together in pursuance of Article 87(1) of the Constitution. In terms of Rule 323, the Committee on Government Assurances of Lok Sabha is concerned with the assurances given by the Ministers in the House. The assurances in the President's Address therefore do not come within the purview of the Committee.

As for the statements made by the Finance and the Railway Ministers in the course of their speech at the time of presentation of the General and Railway Budgets, since these are made at duly constituted sittings of the House, they are culled when they fall within the standard forms of assurances and pursued in the same manner as assurances given in the course of replies to Questions or on other occasions in the House.

• • •

On-the-spot Inspection by the Public Accounts Committee

Q. What is the practice at the Centre with regard to on-the-spot inspection of plants, workshops etc. and physical verification of stores by the Public Accounts Committee while examining the Appropriation Accounts and Audit Report thereon?

Ans. Members of the Public Accounts Committee undertake a visit to a State undertaking or project for an on-the-spot study of its working whenever they consider it necessary to do so in the light of comments in the Audit Report in respect of the particular undertaking or project. Such visits are arranged for by the Ministry concerned upon a request from the Lok Sabha Secretariat.

During those visits no physical verification of stores, as such, is done by the Committee who only study generally the storage conditions, the system of storekeeping and stock verification and other such matters and suggest in their report any changes considered necessary for their improvement.

The Committee do not sit as a Committee at the place of visit. They may ask questions to understand the working of the undertaking, but do not hear witnesses, call for documents or examine the officers.

• • •

The Constitution (Eleventh Amendment) Act, 1961

Article 66(1) of the Constitution, as it originally stood, provided that the Vice-President shall be elected by members of both Houses of Parliament assembled at a joint meeting. The requirement of a joint meeting for the election seemed unnecessary and, it was felt, might also cause practical difficulties. It was therefore considered advisable to amend the aforesaid article to provide that the Vice-President would be elected by members of an electoral college consisting of members of both Houses of Parliament.

Further, under article 54 of the Constitution, the President has to be elected by an electoral college consisting of the elected members of both Houses of Parliament and of the Legislative Assemblies of the States. It is possible that elections may not always be completed before a Presidential or Vice-Presidential election. In fact when the notification for the election of the President was issued in 1957, elections in certain snow-bound areas in the North had not been completed and in a petition filed before the Supreme Court (which the Court dismissed as premature)*, the election was sought to be challenged on the ground that for a valid election of the President all elections to the two Houses of Parliament should have been completed before the date of the Presidential election, as otherwise some members would have been denied the right to take part in the election. This apart, there may be vacancies for other reasons also. It was, therefore, considered desirable to amend article 71 of the Constitution so as to make it clear that the election of the President or Vice-President could not be challenged on the ground of any vacancy for any reason in the electoral college.

The Constitution (Eleventh Amendment) Bill, 1961 was brought forward in the Fifteenth Session of Second Lok Sabha to make the necessary amendments in the Constitution. The Bill was passed by Lok Sabha on December 5 and by Rajya Sabha on December 12 and was assented to by the President on December 19, 1961. The following is the text of the enactment:

Be it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Constitution (Eleventh Amendment) Act, 1961.

Amendment of article 66. 2. In article 66 of the Constitution, in clause (1), for the words "members of both Houses of Parliament assembled at a joint meeting", the words "members of an electoral college consisting of the members of both Houses of Parliament" shall be substituted.

Amendment of article 71. 3. In article 71 of the Constitution after clause (3), the following clause shall be inserted, namely:—

"(4) The election of a person as President or Vice-President shall not be called in question on the ground of the existence of any vacancy for whatever reason among the members of the electoral college electing him."

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*Narayan Bhaskar Khare vs. The Election Commission of India, 1957, S.C.R. 1081.

The Constitution (Twelfth Amendment) Act, 1962

As from December 20, 1961 the territories of Goa, Daman and Diu became a part of the territory of India under article 1(3)(c) of the Constitution and from that date were being administered as a Union territory in accordance with article 239 of the Constitution. In order to specifically include these territories as a Union territory in the First Schedule to the Constitution and to amend article 240 (1) so as to empower the President to make regulations for the peace, progress and good government of these areas, the Constitution (Twelfth Amendment) Bill, 1962 was brought forward by the Government in the concluding Session of the Second Lok Sabha. The Bill was passed by Lok Sabha on March 14, 1962 and by Rajya Sabha on March 20, 1962 and was assented to by the President on 27-3-1962. The text of the enactment, which has been given retrospective effect from December 20, 1961, is reproduced below:

Be it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Constitution (Twelfth Amendment) Act, 1962.

(2) It shall be deemed to have come into force on the 20th day of December, 1961.

Amendment of the First Schedule to the Constitution.

2. In the First Schedule to the Constitution, under the heading "THE UNION TERRITORIES" after entry 7, the following entry shall be inserted, namely :—

"8. Goa, Daman and Diu.	The territories which immediately befor the twentieth day of December, 1961 we comprised in Go Daman and Diu."

Amendment of article 240.

3. In article 240 of the Constitution, in clause (1), after entry (c), the following entry shall be insert, ed, namely:—

"(d) Goa, Daman and Diu."

A sister legislation, the Goa, Daman and Diu (Administration) Act, 1962, made provision for the administration of the territory. This enactment *inter alia* allots to the territory two seats in Lok Sabha and provides for the extension thereto of the jurisdiction of the High Court at Bombay.

1858 (C) LS—10.

Conferences

COMMONWEALTH PARLIAMENTARY CONFERENCE

[*London (United Kingdom)—Sept.* 1961]

The last Commonwealth Parliamentary Conference was held in London (United Kingdom) in September, 1961.

The Indian delegation to the Conference was composed of Shri M. Ananthasayanam Ayyangar, Speaker, Lok Sabha (*Leader*), Sardar Hukam Singh, Deputy Speaker, Lok Sabha, Shri S. V. Krishnamoorthy Rao, Deputy Chairman, Rajya Sabha, Shri Bibhuti Mishra, M.P., Shri A. M. Tariq, M.P., Diwan Chaman Lall, M.P. and Shri S. N. Mukerjee, Secretary, Rajya Sabha. Besides, the delegates from the Branches of the Commonwealth Parliamentary Association in Gujarat, Madras, Maharashtra, Punjab, Rajasthan, Uttar Pradesh and West Bengal also attended the Conference.

The following subjects were discussed at the Conference:

(i) Economic Co-operation in the Commonwealth with particular reference to—

(a) Commonwealth trade and marketing.

(b) European Common market.

(c) Mutual aid.

(ii) Economic and Social development of underdeveloped countries of the Commonwealth: Democratic Planning with particular reference to—

(a) Commonwealth and international assistance.

(b) plans (*e.g.* Colombo), control and provision of capital.

(c) Technical training and educational facilities.

(iii) Constitutional and parliamentary practice in the Commonwealth with particular reference to—

(a) The challenge to democracy by authoritarianism.

(b) The merits of federal, unitary and Presidential systems of government.

(c) Parliamentary practice respecting the role of the Opposition, the Private Member, and Committees.

(iv) The place and functions of the Commonwealth in the world with particular reference to—

(a) The adequacy or otherwise of existing machinery.

(b) The problem of admission.

(c) The problem of a Commonwealth Court.

(d) The potentialities of the Commonwealth Parliamentary Association.

(v) International Affairs and Defence.

Pre-Conference tours were arranged by the U.K. and Northern Ireland Branches of the Commonwealth Parliamentary Association for the delegates.

Sardar Hukam Singh attended the meetings of the General Council of the Commonwealth Parliamentary Association also.

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50TH INTER-PARLIAMENTARY CONFERENCE

[*Brussels (Belgium)—Sept.*, 1961]

The 50th Inter-Parliamentary Conference was held in Brussels (Belgium) in September, 1961.

The Indian delegation to the Conference was composed of Pandit H. N. Kunzru, M.P. (*Leader*), Dr. Sushila Nayyar, M.P., Shri T. B. Vittal Rao, M.P. and Shri M. N. Kaul, Secretary, Lok Sabha.

The following subjects were discussed at the Conference:—

(i) The Effects on World Trade of the Policies followed by the Regional Economic Communities.

(ii) The Evolution of Countries in Process of Development—

(a) The Strengthening of International Assistance in the Economic Sphere so as to promote the Growth of Underdeveloped and Newly Independent Countries.

(b) Problems of Education and of Vocational, Scientific and Technical Training in Countries in Process of Development.

(iii) The Way to Peace—

(a) Draft Declaration on the Principles which should guide States in their Mutual Relations for Eliminating International Tension and Preserving Peace.

(b) Methods of Reinforcing the United Nations so as to consolidate its work in the Maintenance of Peace.

(c) Principles Governing the Political Development of Non-Self-Governing Territories so as to lead them towards Independence and Democracy through the elimination of Colonialism.

(d) Suspension of Nuclear Tests.

(iv) Parliamentary Control of International Organizations.

During the Conference period, meetings of the Inter-Parliamentary Council, Standing Study Committees and Executive Committee of the Inter-Parliamentary Union were also held

Pandit H. N. Kunzru and Dr Sushila Nayyar attended the meetings of the

Inter-Parliamentary Council; and the former, a member of the Executive Committee of the Inter-Parliamentary Union, attended the Executive Committee meetings also.

Of the Study Committee, Pandit Kunzru participated in the deliberations of the Committee on Political Questions, International Security and Disarmament; Dr. Sushila Nayyar in the Economic and Social Committee and Committee on Political Questions, International Security and Disarmament; and Shri T. B. Vittal Rao in the Cultural Committee, and Committee on Non-Self-Governing Territories and Ethnic Questions.

The Association of Secretaries General of Parliaments also met in Brussels about this time and Shri M. N. Kaul, Secretary, Lok Sabha attended its meetings.

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CONFERENCE OF PRESIDING OFFICERS OF LEGISLATIVE BODIES IN INDIA

(Lucknow—1961)

The 27th Conference of Presiding Officers of Legislative Bodies in India was held for three days from 27th to 29th December, 1961 in the Legislative Assembly Hall, Lucknow.

The Conference opened with a welcome address by Shri A. G. Kher, Speaker, U.P. Legislative Assembly. This was followed by the address of the Chairman of the Conference, Shri M. Ananthasayanam Ayyangar, Speaker, Lok Sabha. After that, the Conference passed a resolution condoling the sad demise of Shri K. M. Seethi Saheb who was the Speaker of Kerala Legislative Assembly and Dr. U. Krishna Rau who was the Speaker of Madras Legislative Assembly.

On the first day, some of the Presiding Officers made statements regarding the working of State Legislatures and functioning of democracy as a whole in the States. On the remaining two days the Conference discussed the following points:—

1. (a) Can summons to a Minister, who is not a member of the House, be issued to attend the Governor's Address under Article 176(1) of the Constitution? If so, by whom?

   (b) Is such a Minister entitled to attend such a meeting to hear the Governor's Address even if no summons has been issued to him?

2. Whether an amending Bill dealing with matters which are relevant and cognate to the matters dealt with in the parent Act, but outside its scope, as judged by its title, preamble and other provisions, is in order?

3. (a) Who should be the Chairman of the Privileges Committee?

   (b) Is it proper to have the Chief Minister or one of the Ministers as Chairman?

4. (a) Who should be the Chairman of a Select Committee on a Bill?

   (b) Can a Minister be the Chairman?

5. (a) Whether a Minister who is the Chairman of a Select Committee or Joint Committee can on his own initiative invite members other than those appointed by the House or the Houses to assist in the deliberations of the Committee?

   (b) If not, whether the Report of the Committee will be vitiated owing to the participation of non-members of the Committee?

   (c) Whether a motion for breach of privilege of the House would lie against a Minister, who, as Chairman of the Select Committee or a Joint Committee, calls on his own initiative members other than those appointed to the Committee as special invitees to the meeting of the Committee where they ordinarily take part in the deliberations but do not vote?

6. What attitude should a Committee of the Assembly (*viz.* Public Accounts Committee, Estimates Committee, Committee on Subordinate Legislation etc.) adopt in the case of unresolved differences between the Committee and the Government and how should they be settled?

7. Whether the Parliamentary convention of not discussing matters under the control of the Speaker or Chairman should be followed even when the Speaker or Chairman do not enjoy autonomy and have no real control over the matter?

8. Whether the Budget Estimates of Legislature Secretariats should be examined by the Estimates Committee and its report submitted to the House?

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CONFERENCE OF SECRETARIES OF LEGISLATIVE BODIES IN INDIA

(Lucknow—December, 1961)

The Secretaries of Legislative Bodies in India met in Conference in the Committee Room of Council House, Lucknow on the 30th December, 1961. Shri M. N. Kaul, Secretary of Lok Sabha presided. Most of the Secretaries of State Legislatures attended the Conference, which was the tenth of its kind to be held ever since the practice first started in the year 1953.

After the welcome to the delegates by Shri Rup Chandra, Secretary of the U.P. Legislature, the proceedings began with an address by Shri Kaul as Chairman to the Conference.

The Conference discussed the working of the various State Legislature Secretariats.

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APPENDIX I

Statement showing the activities of the Houses of Parliament/State Legislatures in India during the period 1st July to 31st December, 1961

Name of the House/ Legislature	Session during the period	Legislation		Questions						Committees		
		No. of Bills passed		Starred		Unstarred		Short Notice		Names of Committees that met during the period	No. of sittings held	No. of Reports presented
		Government	Private Members	Notices received	Admitted	Notices received	Admitted	Notices received	Admitted			
1	2	3	4	5	6	7	8	9	10	11	12	13
Lok Sabha	Two sessions											
	(i) 7th August to 8th September, 1961 (25 sittings)	15		10,161	1,383†	1,662	3,832*	128	9	(1) Business Advisory Committee.	4	4
										(2) Committee on Absence of Members from the sittings of the House.	2	2
	(ii) 20th November to 8th December 1961 (16 sittings)	18		5,278‡	739 §	574	1,746‖	62		(3) Committee on Estimates	27	10
										(4) Committee on Government Assurances	2	
										(5) Committee on Petitions	4	2

†Includes 21 Short Notice Questions admitted as Starred Questions.

*Includes 2,958 Starred Questions and 4 Short Notice Questions admitted as Unstarred Questions.

‡Includes 4 Short Notices Questions admitted as Starred Questions.

‖Includes 1,490 Starred Questions and 1 Short Notice Question admitted as Unstarred Questions

1	2	3	4	5	6	7	8	9	10	11	12	13
										(6) Committee on Private Members' Bills and Resolutions.		
										(7) Committee on Privileges	3	1
										(8) Committee on Public Accounts	34	2
										(9) Committee on Subordinate Legislation	4	2
										(10) General Purposes Committee (Sub-Committee)	1	
										(11) House Committee	1	
										(12) Joint Committee on Offices of Profit	4	1
										(13) Joint Committee on the Extradition Bill, 1961	5	1
										(14) Joint Committee on the Religious Trusts Bill, 1960	2	
										(15) Select Committee on the Income Tax Bill, 1961	6	1
										(16) Select Committee on the Indian Railways (Amendment) Bill, 1961	5	1
										(17) Select Committee on the Representation of the People (Amendment) Bill, 1961.	4	1

Rajya Sabha	Two Sessions (i) From 14th August to 8th September (19 sittings) (ii) From 27th November to 15th December (15 sittings)	37	1	2536	1353	726	709	23	2	(1) Business Advisory Committee (2) House Committee .	1 2	1 ..
Andhra Pradesh Legislative Assembly	One Session from 25th July to 12th August and 1st December to 9th December, 1961 (15 sittings)	34		834	532	..	22*	179	96	(1) Public Accounts Committee . (2) Committee on Government Assurances . (3) Committee on Estimates . . . (4) Committee on Petitions . . (5) Joint/Select Committees . . (6) Committee on Subordinate Legislation . (7) Business Advisory Committee .	10 2 26 4 10 8 6	2 1 10 .. 2 .. ..
Andhra Pradesh Legislative Council	One Session from 25th July, still continuing (18 sittings)	34		274	265			27	19	Committee on Government Assurances .	6	1
Bihar Legislative Council	One Session from 14th August to 3rd January, 1962 (49 sittings)	4		1031	936	24	20	40	18	(1) Assurance Committee (2) Subordinate Legislation Committee . (3) Library Committee . (4) House Committee . (5) Business Advisory Committee .	8 13 1 1 ..	— .. .. 1 ..

*Notices for these questions were received as starred.

1	2	3	4	5	6	7	8	9	10	11	12	13
										(6) Committee on Private Members' Bills & Resolutions . .	3	3
Gujarat Legislative Assembly	Two Sessions	33	1	441	313	22†	22	45	23	(1) Estimates Committee	5	1
	(i) From 29th September to 18th October (14 sittings)									(2) Public Accounts Committee . .	4	1
										(3) Petitions Committee .	4	4
	(ii) From 12th December to 23rd December (9 sittings)									(4) Subordinate Legislation Committee .	1	1
										(5) Assurances Committee . .	3	2
										(6) Library Committee .	1	
										(7) Private Members Bills & Resolutions Committee . .	3	3
										(8) Business Advisory Committee .	5	5
										(9) Committee on leave of absence of members from the sittings of the House .	2	2
Jammu and Kashmir Legislative Assembly	One Session from 21 August to 7th September (18 sittings)	5		1009	831	271	231			(1) Public Accounts Committee	6	
										(2) Committee on Privileges .	2	
										(3) House and Library Committee .	3	

								(4) Committee on Government Assurances	Eighth Report of the Committee on Government Assurances.	
Kerala Legislative Assembly	One Session from 13th November to 21st November and from 13th December to 21st December (13 sittings)	20	1810*	1748*			21	3	(1) Public Accounts Committee	10	1
									(2) Committee on Estimates (Including two meetings of the sub-Committees)	13	3
									(3) Committee on Private Members' Bills and Resolutions	3	3
									(4) Committee on Subordinate Legislation	4	1
									(5) Committee on Government Assurances	1	1
Madhya Pradesh Vidhan Sabha	One Session from 4th to 27th September, 1961 (17 sittings).	14	1509	809	648	406	24	5	(1) Committee on Private Members' Bills and Resolutions	2	1
									(2) Business Advisory Committee	1	1
									(3) Committee on Petitions	2	1
									(4) Committee on Delegated Legislation	4	1
									(5) Public Accounts Committee	13	1
									(6) Estimates Committee	3	2

*This includes Starred and Unstarred Questions.
†These notices were actually received as starred.

1	2	3	4	5	6	7	8	9	10	11	12	13
										(7) Committee on Privileges	2	
										(8) Committee on Government Assurances	7	1
										(9) House Committee		
										(10) Library Committee		..
										(11) Rules Committee		
Madras Legislative Assembly	One session from 19th November, 1961 to 9th January, 1962 (38 sittings)	34		841	742	20	18	19	12	(1) Business Advisory Committee	6	..
										(2) Committee on Estimates	17	5
										(3) Committee on Public Accounts	14	2
										(4) Committee on Subordinate Legislation	14	6
										(5) Committee on Government Assurances	7	2
										(6) House Committee	2	..
										(7) Privilege Committee on the 'Obstruction case'	3	1
										(8) Privileges Committee on the 'Mail Case'	3	1
										(9) Select Committee on the Madras Pawnbrokers (Amendment) Bill, 1960	1	1

(10) Select Committee on the Madras Co-operative Societies Bill, 1961	6	1	
(11) Joint Committee on the Madras Land Reforms (Fixation of Ceiling on Land) Bill, 1960	2	1	
(12) Select Committee on the Madras Irrigation Cess (Amendment) Bill, 1961	2	1	
(13) Select Committee on the Madras Local Authorities Bill, 1961	1	1	
(14) Select Committee on the Madras Minor Inams (Abolition and Conversion into Ryotwari) Bill, 1961	1	..	
(15) Select Committee on the Madras Public Trusts (Regulation of administration of Agricultural land) Bill, 1961	3	1	
(16) Select Committee on the Madras Leaseholds (Abolition and Conversion into Ryotwari) Bill, 1961	1	..	
(17) Select Committee on the Madras Inavaram Inam Estates (Abolition and Conversion into Ryotwari) Bill, 1961	1	..	
(18) Select Committee on the Madras Buildings (Lease and Rent Control) Amendment Bill, 1961	2	..	

1	2	3	4	5	6	7	8	9	10		11	12	1
Madras Legislative Council	One Session from 19th November, 1961 to 31st December, 1961 (23 sittings)	34		157	129			20	17	(1) Business Advisory Committee	4	..
										(2) Rules Committee	3	1
										(3) Committee on Government Assurances	1	1
										(4) House Committee	2	..
Maharashtra Legislative Assembly	Two Sessions] (i) from 14th July, 1961 to 30th August, 1961 (25 sittings)	25		2685	1509	533	336	275	111	(1) Public Accounts Committee	14	4
										(2) Estimates Committee	21	3
										(3) Assurances Committee	4	..
	(ii) from 27th November, 1961 to 8th December, 1961 (10 sittings)									(4) Rules Committee	1	..
										(5) Petitions Committee	4	2
										(6) Committee on Private Members' Bills and Resolutions	7	6
										(7) Business Advisory Committee	7	7
										(8) Subordinate Legislation Committee	4	2
										(9) Joint Committee on the Maharashtra Zilla Parishads and Panchayat Samitis Bill, 1961	13	1
										(10) Committee on Absence of members from sittings of the House	2	..
										(11) Library Committee	2	2

Maharashtra Legislative Council	Two Sessions (i) 28th July, 1961 to 30th August, 1961 (8 sittings) (ii) from 30th November 1961 to 8th December, 1961 (8 sittings)	25	290	182	55	60	37	12	(1) Public Accounts Committee	14	4
									(2) Estimates Committee	21	3
									(3) Assurances Committee	2	..
									(4) Rules Committee	1	..
									(5) Committee on Private Members' Bills and Resolutions	2	2
									(6) Business Advisory Committee	4	4
									(7) Subordinate Legislation Committee	4	4
Mysore Legislative Assembly	(i) From 19th July to 29th July, 1961 (ii) from 22nd August to 15th September, 1961 (iii) 10th November to 25th November, 1961 (45 sittings)	37	446	416	235	212	33	10	(1) Business Advisory Committee	4	4
									(2) Committee on Private Members' Bills and Resolutions	1	1
									(3) Committee on Estimates	3	1
									(4) Public Accounts Committee	14	1
									(5) Committee on Petitions	2	2
									(6) Committee on Government Assurances	2	1
									(7) Joint Select Committee on the Mysore Shops and Commercial Establishments Bill, 1960	4	1
									(8) Select Committee on the Mysore Ayurveda and Unani Practitioners' Registra-		

1	2	3	4	5	6	7	8	9	10	11	12	13
										tion and Medical Practitioners Miscellaneous Provisions Bill, 1960 . .	5	1
Orissa Legislative Assembly	One Session from 21st August to 11th December, 1961 (45 sittings)	27		3331	1963	393	299	83	22	(1) Public Accounts Committee . .	15	1
										(3) Estimates Committee	3	1
										(3) Committee on Government Assurances	2	
										(4) Business Advisory Committee . .	1	
										(5) House Committee .	3	
										(6) Select Committee on the Orissa University of Agriculture and Technology Bill, 1961 . . .	4	1
										(7) Select Committee on the Orissa Zilla Parishad (Amendment) Bill, 1961 . . .	5	1
										(8) Select Committee on the Orissa Medical Registration Bill, 1961	1	1
										(9) Select Committee on the Orissa Electricity (Duty) Bill 1961	1	1
										(10) Select Committee on the Orissa Land Reforms (Amendment) Bill, 1961 .	4	2

Punjab Vidhan Sabha	One Session from 20th September to 28th September, 1961 (9 sittings)	11	..	258	163	246	185	5	2	(1) Public Accounts Committee . .	16	1
										(2) Committee on Estimates .	13	1
										(3) Committee on Government Assurances	11	..
										(4) Committee on Subordinate Legislation	2	..
										(5) Committee on Privileges . . .	2	
										(6) House Committee .	2	
										(7) Library Committee	7	
										(8) *Ad hoc* Committee on Rules . .	1	
										(9) Hindi Regional Committee . .	2	2
										(i) Sub-Committee on Education of the Hindi Regional Committee	14	
										(ii) Sub-Committee on Co-operative Societies of the Hindi Regional Committee	4	..
										(iii) Sub-Committee on Agriculture of the Hindi Regional Committee . . .	3	..
										(10) Punjab Regional Committee . .	1	1

1	2	3	4	5	6	7	8	9	10	11	12	13
Punjab Legislative Council	One Session :— from 20th September to 3rd October, 1961 (6 sittings)	11		222	165*	52	107**	29	28	(1) Committee on Subordinate Legislation	9	..
										(2) Committee on Government Assurances . . .	9	..
										(3) Rules Committee	3	..
										(4) House Committee .	2	..
										(5) Library Committee .	3	..
Rajasthan Legislative Assembly	One Session :— from 11th September to 22nd September, 1961 (10 sittings)	16	..	1115	350	3	2	25	14	(1) Business Advisory Committee .	1	1
										(2) Select Committees on :—		
										(i) Rajasthan State Cattle Fairs Bill, 1961 . . .	2	1
										(ii) Rajasthan Kesar Bhom Abolition Bill, 1960. . .	1	1
										(iii) Rajasthan Money Lenders Bill, 1961	4	..
										(3) Committee on Petitions . . .	2	..
										(4) Committee on Public Accounts .	33	1
										(5) Committee on Estimates . .	91	3
										(6) Committee of Privileges . .		..

									(7) Committee on Subordinate Legislation .	39	2
									(8) Committee on Government Assurances . . .	88	
									(9) House Committee .	23	..
Uttar Pradesh Legislative Assembly	One Session :— from 31st July, 1961 and is continuing (21 sittings up till 31-12-61)	15	1063	1356	5	5	1580	223	(1) Committee on Privileges . .	1	1
									(2) Committee on Petitions . . .		..
									(3) Business Advisory Committee . .	6	..
									(4) Estimates Committee . . .	4	2
									(5) Committee on Government Assurances . . .	11	2
									(6) Delegated Legislation Committee .	19	1
									(7) Rules Committee .	..	..
									(8) Public Accounts Committee . .	20	3
									(9) Joint Selection Committee on U.P. Co-operative Societies Bill, 1960 .	11	1
									(10) Committee on Offices of Profit .	..	..
									(11) Avas Mantarna Samiti . . .	1	..

*Including one question which was converted from Starred to Unstarred and from notices of short notice questions—9.
**Includes 13 short notice questions and 44 starred questions admitted as unstarred.
●Includes one admitted from starred questions.

1	2	3	4	5	6	7	8	9	10	11	12	13
Uttar Pradesh Legislative Council	Two Sessions :— (i) from 17th August to 31st August, 1961 (8 sittings) (ii) 15th November to 21st November, 1961 (5 sittings)	15		1636	1270	68	67	81	62	(1) Privileges Committee	2	
										(2) Rules Revision Committee . .	2	..
										(3) Assurance Committee . . .	13	..
										(4) Committee on Petitions . . .	2	
										(5) House Committee	1	
										(6) Committee on Compilation of Rulings	7	
										(7) Joint Select Committee on U.P. Malin Basti Kshetra Bill, 1960 .	9	..

APPENDIX II

List of Bills passed by the Houses of Parliament and assented to by the President during the period 1st July to 31st December, 1961

S. No.	Title of the Bill	Date of assent by the President
1	2	3
1	The Constitution (Tenth Amendment) Bill, 1961	16-8-61
2	The Marking of Heavy Packages (Amendment) Bill, 1961	25-8-61
3	The Delhi (Urban Areas) Tenants' Relief Bill, 1961	28-8-61
4	The Minimum Wages (Amendment) Bill, 1961	28-8-61
5	The Khadi and Village Industries Commission (Amendment) Bill, 1961	28-8-61
6	The Union Territories (Stamps and Court-Fees Laws) Bill, 1961	29-8-61
7	The Salt Cess (Amendment) Bill, 1961	29-8-61
8	The Dadra and Nagar Haveli Bill, 1961	2-9-61
9	The Newspaper (Price and Page) Continuance Bill, 1961	5-9-61
10	The Appropriation (No. 4) Bill, 1961	8-9-61
11	The Sugarcane Cess (Validation) Bill, 1961	11-9-61
12	The Indian Railways (Amendment) Bill, 1961	12-9-61
13	The Representation of the People (Amendment) Bill, 1961	12-9-61
14	The Indian Penal Code (Amendment) Bill, 1961	12-9-61
15	The Delhi Municipal Corporation (Amendment) Bill, 1961	12-9-61
16	The Income-tax Bill, 1961	13-9-61
17	The Indian Standards Institution (Certification Marks) Amendment Bill, 1961	30-11-61
18	The Foreign Awards (Recognition and Enforcement) Bill, 1961	30-11-61
19	The Voluntary Surrender of Salaries (Exemption from Taxation) Bill, 1961	6-12-61
20	The Deposit Insurance Corporation Bill, 1961	7-12-61
21	The Coffee (Amendment) Bill, 1961	7-12-61
22	The Assam Municipal (Manipur Amendment) Bill, 1961	7-12-61
23	The High Court Judges (Conditions of Service) Amendment Bill, 1961	8-12-61

1	2	3
24	The Industries (Development and Regulation) Amendment Bill, 1961	11-12-61
25	The Apprentices Bill, 1961	12-12-61
26	The Maternity Benefit Bill, 1961	12-12-61
27	The Appropriation (Railways) No. 4 Bill, 1961	13-12-61
28	The Sugar (Regulation of Production) Bill, 1961	17-12-61
29	The Indian Tariff (Amendment) Bill, 1961	17-12-61
30	The Appropriation (No. 5) Bill, 1961	
31	The Iron Ore Mines Labour Welfare Cess Bill, 1961	19-12-61
32	The Institutes of Technology Bill, 1961	19-12-61
33	The Visva-Bharati (Amendment) Bill, 1961	19-12-61
34	The Delhi University (Amendment) Bill, 1961	19-12-61
35	The Constitution (Eleventh Amendment) Bill, 1961	19-12-61

APPENDIX III

List of Bills passed by the State Legislatures during the period 1st July, 1961 to 31st December, 1961

Administration

Andhra Pradesh

1. The Andhra Pradesh District Boards (Extension of Term of Office of Members) Bill, 1961.
2. The Hyderabad Municipal Corporations and the Hyderabad District Municipalities (Andhra Pradesh Amendment) Bill, 1961.
3. The Andhra Pradesh Panchayat Samitis and Zilla Parishads (Second Amendment) Bill, 1961.
4. The District Boards and Panchayats (Andhra Pradesh Amendment) Bill, 1961.
5. The Andhra Pradesh District Collectors Powers (Delegation) Bill, 1961.
6. The Andhra Pradesh Public Premises (Eviction of Unauthorised Occupants) Bill, 1961.
7. The Destruction of Records (Andhra Pradesh Amendment) Bill, 1960.
8. The Andhra Pradesh Non-trading Companies Bill, 1960.

Bihar

1. The Bihar District Boards and Local Boards (Control and Management) (Amendment) Bill, 1961.
2. The Bihar Panchayat Raj (Amendment and Validating) Bill, 1961.
3. The Bihar Panchayat Samitis and Zila Parishads Bill, 1961.
4. The Jharia Water Supply (Amendment) Bill, 1961.
5. The Bihar Maintenance of Public Order (Amendment) Bill, 1961.

Gujarat

1. The Gandhidham (Development and Control on Erection of Buildings) (Amendment) Bill, 1961.
2. The Bombay Village Police (Gujarat Extension and Amendment) Bill, 1961.
3. The Gujarat Panchayats Bill, 1961.
4. The Gujarat Compulsory Primary Education Bill, 1961.
5. The Saurashtra Local Development Fund and Bombay Local Boards Bill, 1961.
6. The Gujarat Cooperative Societies Bill, 1961.
7. The Bombay Shops and Establishments (Gujarat Extension and Amendment) Bill, 1961.
8. The Bombay Public Authorities Seals (Gujarat Extension and Amendment) Bill, 1961.

Jammu and Kashmir

The Jammu and Kashmir Transfer of Property (Second Amendment) Bill, 1961.

Kerala

1. The Kerala Municipalities (Amendment) Bill, 1961.
2. The Kerala Hereditary Village Offices (Abolition) Bill, 1961.

1858(c) LS—13

3. The Kerala Survey and Boundaries Bill, 1960.
4. The Kerala Prevention of Disturbances of Public Meetings Bill, 1961.
5. The Calicut City Municipal (Amendment) Bill, 1961.
6. The Kerala Municipalities (Second Amendment) Bill, 1961.
7. The Guruvayur Township Bill, 1961.
8. The Requisitioning and Acquisition of Property (Amendment) Bill, 1961.
9. The Kerala Destruction of Records Bill, 1961.
10. The Kerala Non-Trading Companies Bill, 1960.

Madhya Pradesh

1. The Madhya Pradesh Accommodation Control Bill, 1960.
2. The Madhya Pradesh Essential Services Maintenance (Amendment) Bill, 1961.
3. The Madhya Pradesh Municipal Corporations and Municipal Councils (Payment of Allowances to Office Bearers and Councillors) (Validation) Bill, 1961.
4. The Madhya Pradesh Public Demand Recovery (Repealing) Bill, 1961.

Madras

1. The Madras Panchayats (Extension of Transferred Territory) and Panchayat Union Councils (Special Provisions for the First Constitution) (Amendment) Bill, 1961.
2. The Madras District Development Councils and Panchayats (Extension to Added Territory) Bill 1961.
3. The Madras (Added Territories) Extension of Laws (No. 2) Bill, 1961.
4. The Madras Catering Establishments (Amendment) Bill, 1961.
5. The Madras City Police (Amendment) Bill, 1961.
6. The Madras City Municipal (Amendment) Bill, 1961.
7. The Madras Co-operative Societies Bill, 1961.
8. The Madras Gift Goods Bill, 1961.
9. The Madras Private Forests (Assumption of Management) Bill, 1961.
10. The Madras Occupants of Kudiyiruppu (Protection from Eviction) Bill, 1961.

Maharashtra

1. The Bombay Municipal Corporation (Amendment) Bill, 1961.
2. The Bombay Police (Amendment) Bill, 1961.
3. The Maharashtra Zilla Parishads and Panchayat Samities Bill, 1961.
4. The Bombay Non-Trading Corporations (Amendment) Bill, 1961.
5. The Bombay Rents, Hotel and Lodging House Rates Control (Extension of Duration and Amendment) Bill, 1961.
6. The Poona Mutha River Flood Limits (Prohibition of Building) and Provision for Alternative Building Sites Bill, 1961.
7. The Poona unclaimed Building Material (Disposal) Bill, 1961.

Mysore

1. The Mysore Village Panchayats and Local Boards (Amendment) Bill, 1961.
2. The Madras Area Municipalities (Extension of Terms of Councillors) (Amendment) Bill, 1961.
3. The City of Bangalore Municipal Corporation (Amendment) Bill, 1961.
4. The Mysore Shops and Commercial Establishments Bill, 1960.
5. The Mysore Rent Control Bill, 1960.
6. The Mysore Public Premises (Eviction of Unauthorised Occupants) Bill, 1960.
7. The Ponnampet Notified Area Committee (Continuance and Validation) Bill, 1959.
8. The Mysore Town and Country Planning Bill, 1961.

Orissa

1. The Orissa Zilla Parishad (Amendment) Bill, 1961.
2. The Orissa Home Guards Bill, 1961.
3. The Orissa Hydro-Electric Projects and Flood Control Works (Survey) Bill, 1961.
4. The Orissa Public Premises (Eviction of Unauthorised Occupants) Bill, 1961.

Punjab

The Talwara Township (Periphery) Control Bill, 1961.

Rajasthan

1. The Rajasthan Municipal Elections (Validation) Bill, 1961.
2. The Rajasthan Municipalities (Amendment) Bill, 1961.
3. The Rajasthan Panchayat Samitis and Zila Parishads (Second Amendment) Bill, 1961.
4. The Rajasthan Local Fund Audit (Amendment) Bill, 1961.

Uttar Pradesh

1. The U. P. Local Bodies (Appointment of Administrator) Bill, 1961.
2. The Indian Electricity (U.P. Amendment) Bill, 1961.
3. The U. P. (Regulation of Building Operations) (Second Amendment) Bill, 1961.

Commerce & Industry

Andhra Pradesh

1. The Andhra Pradesh Sugarcane (Regulation of Supply and Purchases) Bill, 1961.
2. The Andhra Pradesh Khadi and Village Industries Board (Amendment) Bill, 1961.

Gujarat

The Bombay Weights and Measures (Enforcement) (Gujarat Amendment) Bill, 1961.

Kerala

The Kerala Essential Articles (Control) (Temporary Powers) Bill, 1960.

Madras

The Madras State Aid to Industries (Second Amendment) Bill, 1961.

Maharashtra

1. The Cotton Ginning and Pressing Factories (Maharashtra Provision for Uniform Application and Amendment) Bill, 1961.
2. The Maharashtra Industrial Development Bill, 1961.

Orissa

1. The Orissa Kendu Leaves (Control of Trade) Bill, 1961.
2. The Bihar and Orissa State Aid to Industries (Orissa Amendment) Bill, 1961.

Rajasthan

1. The Rajasthan State Aid to Industries Bill, 1961.
2. The Rajasthan Weights and Measures (Enforcement) Bill, 1961.

Uttar Pradesh

The U. P. Sugarcane Laws (Amendment) Bill, 1961.

Education

Andhra Pradesh

The Andhra Pradesh University Acts (Amendment) Bill, 1961.

Bihar

1. The Bihar State Universities (Patna, University of Bihar, Bhagalpur and Ranchi) (Second Amendment) Bill, 1961.
2. The Patna University Bill, 1961.
3. The Bihar State University Commission Bill, 1961.
4. The Magadh University Bill, 1961.

Gujarat

The Gujarat Compulsory Primary Education Bill, 1961.

Jammu and Kashmir

The Jammu and Kashmir University (Amendment) Bill, 1961.

Madhya Pradesh

The Madhya Pradesh Primary Education Bill, 1961.

Maharashtra

1. The Hyderabad Public Libraries (Repeal) Bill, 1961.
2. The Indian Medical Degrees (Maharashtra Extension and Provision for Uniformity) Bill, 1961.

Mysore

1. The Mysore University (Second Amendment) Bill, 1961.
2. The Mysore Ancient and Historical Monuments and Archaeological Sites and Remains Bill, 1960.

Orissa

1. The Orissa University of Agriculture and Technology Bill, 1961.
2. The Orissa Secondary Education (Amendment) Bill, 1961.

Punjab

1. The Punjab Agricultural University Bill, 1961.
2. The Punjabi University Bill, 1961.

Finance

Andhra Pradesh

1. The Andhra Pradesh General Sales Tax (Amendment) Bill, 1961.
2. The Andhra Pradesh General Sales Tax (Second Amendment) Bill, 1961.
3. The Andhra Pradesh Appropriation (No. 3) Bill, 1961.
4. The Andhra Pradesh Motor Vehicles (Taxation of Passengers and Goods) (Amendment and Validation) Bill, 1961.
5. The Andhra Pradesh Appropriation (No. 4) Bill, 1961.

Bihar

1. The Bihar Taxation on Passengers and Goods (Carried by Public Service Motor Vehicles) Bill, 1961.
2. The Bihar Appropriation (No. 3) Bill, 1961.

Gujarat

1. The Bombay Electricity Duty (Gujarat Amendment) Bill, 1961.
2. The Interest (Gujrat Extension) Bill, 1961.
3. The Gujarat (Second Supplementary) Appropriation Bill, 1961.
4. The Bombay Sales Tax (Gujarat Second Amendment) Bill, 1961.
5. The Bombay Sales Tax (Gujarat Third Amendment) Bill, 1961.
6. The Gujarat Contingency Fund (Amendment) Bill, 1961.

Kerala

The Kerala Appropriation (No. 6) Bill, 1961.
2. The General Sales Tax (Second Amendment) Bill, 1961.

Madhya Pradesh

1. The Madhya Pradesh Government Electrical Undertakings (Dues Recovery) Bill, 1961.
2. The Madhya Pradesh Sugarcane (Purchase Tax) Bill, 1961.
3. The Madhya Pradesh Appropriation (No. 4) Bill, 1961.

Madras

1. The Madras Appropriation (No. 5) Bill, 1961.
2. The Madras General Sales Tax (Third Amendment) Bill, 1961.
3. The Madras Local Authorities Finance Bill, 1961.
4. The Madras Agricultural Income-tax (Second Amendment) Bill, 1961.
5. The Madras Appropriation (No. 6) Bill, 1961.
6. The Madras Appropriation (No. 7) Bill, 1961.
7. The Madras Appropriation (Vote on Account) Bill, 1961.

Maharashtra

1. The Bombay Motor Vehicles (Taxation of Passengers) (Second Amendment) Bill, 1961.
2. The Bombay Revenue Tribunal (Amendment) Bill, 1961.
3. The Maharashtra (Second Supplementary) Appropriation Bill, 1961.
4. The Bombay Contingency Fund (Amendment) Bill, 1961.
5. The Maharashtra (Third Supplementary) Appropriation Bill 1961.

Mysore

1. The Mysore Appropriation (No. 3) Bill, 1961.
2. The Mysore Sales-Tax (Third Amendment) Bill, 1961.
3. The Mysore Sales-Tax (Fourth Amendment) Bill, 1961.
4. The Mysore Contingency Fund (Temporary Amendment) Bill, 1961.

Orissa

1. The Orissa Sales Tax Validation Bill, 1961.
2. The Orissa Motor Spirit (Taxation on Sale) (Amendment) Bill, 1961.
3. The Bihar and Orissa Motor Vehicles Taxation (Orissa Amendment) Bill, 1961.
4. The Madras Motor Vehicles Taxation (Orissa Amendment) Bill, 1961.

5. The Orissa Sales Tax (Amendment) Bill, 1961.
6. The Orissa Motor Vehicles Taxation Laws (Amendment) Bill, 1961.
7. The Orissa Entertainment Tax (Amendment) Bill, 1961.
8. The Orissa Appropriation Bill, 1961.
9. The Orissa Electricity (Duty) Bill, 1961.
10. The Orissa Appropriation (No. 2) Bill, 1961.

Punjab

1. The Punjab Motor Vehicles Taxation (Amendment) Bill, 1961.
2. The Punjab General Sales Tax (Amendment and Validation) Repealing Bill, 1961.
3. The Punjab Appropriation (No. 3) Bill, 1961.
4. The Punjab Appropriation (No. 4) Bill, 1961.

Rajasthan

1. The Rajasthan Appropriation (No. 3) Bill, 1961.
2. The Rajasthan Appropriation (No. 4) Bill, 1961.
3. The Rajasthan Sales Tax (Amendment) Bill, 1961.
4. The Rajasthan Excise (Amendment) Bill, 1961.

Uttar Pradesh

1. The U. P. Sales Tax (Second Amendment) Bill, 1961.
2. The U. P. Appropriation (First Supplementary of 1961-62) Bill, 1961.
3. The U. P. Appropriation (Regularization of Excesses, 1957-58) Bill, 1961.
4. The U. P. Appropriation (Second Supplementary 1961-62) Bill, 1961.

Health and Housing

Andhra Pradesh

1. The Andhra Pradesh Housing Board (Extension and Amendment) Bill, 1961.
2. The Andhra Pradesh Housing Schemes (Acquisition of Land) Bill, 1961.

Gujarat

1. The Indian Lunacy (Gujarat Provision for Uniform Application) Bill, 1961.
2. The Bombay Corneal Grafting (Gujarat Amendment) Bill, 1961.

Mysore

1. The Mysore Nurses, Midwives and Health Visitors Bill, 1960.
2. The Mysore Medical Registration Bill, 1960.
3. The Mysore Ayurveda and Unani Practitioners Registration and Medical Practitioners Provisions Bill, 1960.
4. The Mysore Homoeopathic Practitioners Bill, 1960.

Orissa

The Orissa Medical Registration Bill, 1961.

Labour and Employment

Gujarat

1. The Bombay Labour Welfare Fund (Gujarat Extension and Amendment) Bill, 1961.
2. The Indian Trade Unions (Gujarat Amendment) Bill, 1961.
3. The Bombay Industrial Relations Bill, 1961.

Kerala

The Kerala Beedi and Cigar Industrial Premises (Regulation of Conditions of Work) Bill, 1960.

Madhya Pradesh

1. The Madhya Pradesh Industrial Employment (Standing Orders) (Amendment) Bill, 1961.
2. The Madhya Pradesh Industrial Relations (Amendment) Bill, 1961.

Madras

The Madras Industrial Establishments (National and Festival Holidays) Amendment Bill, 1961.

Maharashtra

1. The Bombay Labour Welfare Fund (Extension and Amendment) Bill, 1961.
2. The Payment of Wages (Maharashtra Amendment) Bill, 1961.

Uttar Pradesh

The U. P. Industrial Establishments (National Holidays), Bill, 1961.

Land and Agriculture

Andhra Pradesh

1. The Andhra Pradesh Agricultural Pests and Diseases (Extension and Amendment) Bill, 1961.
2. The Andhra Pradesh Tenancy and Agricultural Land (Validation) Bill, 1961.
3. The Andhra Pradesh (Andhra Area) Tenants and Ryots Protection (Amendment) Bill, 1961.
4. The Andhra Pradesh (Telangana Area) Ijara and Kowli Land Cancellation of Irregular Pattas and Abolition of Concessional Assessment Bill, 1959.
5. The Cattle Trespass (Andhra Pradesh Amendment) Bill, 1961.
6. The Madras Cultivating Tenants Protection (Andhra Pradesh) Amendment Bill, 1961.
7. The Andhra Pradesh Co-operative Central Land Mortgage Bank Formation Bill, 1961.

Bihar

The Bihar Land Reforms (Fixation of Ceiling on Land) Bill, 1959.

Gujarat

1. The Bombay and Saurashtra Agricultural Produce Markets (Gujarat Amendment and Validating Provisions) Bill, 1961.
2. The Gujarat Land Tenures Abolition (Extension of Period for Claiming Compensation) Bill, 1961.
3. The Bombay Irrigation (Gujarat Extension and Amendment) Bill, 1961.
4. The Gujarat Patel Watans Abolition Bill, 1961.
5. The Gujarat Land Acquisition (Industrial Areas) Bill, 1961.
6. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Bill, 1961.
7. The Bombay Personal Inams (Gujarat Amendment) Bill, 1961.

Jammu and Kashmir

The Jammu and Kashmir Tenancy (Amendment) Bill, 1961.

Kerala

1. The Kerala Land Acquisition Bill, 1960.
2. The Madras Preservation of Private Forests (Kerala Amendment) Bill, 1961.
3. The Kerala Forest Bill, 1960.

Madhya Pradesh

1. The Madhya Pradesh Land Revenue Code (Second Amendment) Bill, 1961.
2. The Madhya Pradesh Horse Sickness (Amendment) Bill, 1961.

Madras

1. The Madras Cultivating Tenants Protection and Payment of Fair Rent (Amendment) Bill, 1961.
2. The Madras Tenants and Ryots Protection (Amendment) Bill, 1961.
3. The Madras Cultivating Tenants Protection (Amendment) Bill, 1961.
4. The Madras Preservation of Private Forests (Amendment) Bill, 1961.
5. The Madras Forest (Amendment) Bill, 1961.
6. The Holdings (Stay of Execution Proceedings) (Madras Amendment) Bill, 1961.
7. The Madras Land Reforms (Fixation of Ceiling on Land) Bill, 1960.
8. The Madras Hill Stations (Preservation of Trees) Amendment Bill, 1961.
9. The Madras Warehouses (Amendment) Bill, 1961.
10. The Madras Public Trusts (Regulation of Administration of Agricultural Lands) Bill, 1961.

Maharashtra

1. The Hyderabad Tenancy and Agricultural Lands (Re-enactment, Validation and Further Amendment Bill, 1961.
2. The Bombay Tenancy and Agricultural Lands (Vidharba Region and Kutch Area) (Amendment) Bill, 1961.
3. The Bombay Agricultural Pests and Diseases (Extension and Amendment) Bill, 1961.
4. The Bombay Personal Inams Abolition (Amendment) Bill, 1961.

Mysore

1. The Hyderabad Tenancy and Agricultural Lands (Validation) Bill, 1961.
2. The Mysore Tenancy Laws (Second Amendment) Bill, 1961.
3. The Mysore Tenants (Temporary Protection from Eviction) Bill, 1961.
4. The Mysore Land Reforms Bill, 1960.
5. The Mysore Land Improvement Bill, 1960.
6. The Land Acquisition (Mysore Extension and Amendment) Bill, 1961.
7. The Mysore Warehouses Bill, 1960.
8. The Mysore Live-Stock Improvement Bill, 1961.
9. The Mysore Animal Diseases Control Bill, 1960.

Orissa

1. The Orissa Tenants Relief (Amendment) Bill, 1961.
2. The Orissa Bhoodan Yagna (Amendment) Bill, 1961.
3. The Orissa Tenants Relief (Second Amendment) Bill, 1961.
4. The Orissa Goshala Bill, 1961.

Rajasthan

1. The Rajasthan Warehouses (Amendment) Bill, 1961.
2. The Rajasthan Forest (Amendment) Bill, 1961.
3. The Rajasthan Kesar Bhom Abolition Bill, 1961.

Uttar Pradesh

The U. P. Land Laws (Second Amendment) Bill, 1961.

Legal

Andhra

1. The Usury Laws Repeal (Andhra Pradesh Extension) Bill, 1961.
2. The Andhra Pradesh Laws (Amendment of Short Titles) (No. 2) Bill, 1961.
3. The Code of Civil Procedure (Andhra Pradesh Unification and Amendment) Bill, 1960.
4. The Habitual Offenders Bill, 1961.

Bihar

1. The Seraikella and Kharswan Laws (Amendment) Bill, 1961.
2. The Seraikella and Kharswan (Second Amendment) Bill, 1961.

Gujarat

1. The Gujarat Municipal Laws (Amendment and Validating Provisions) Bill, 1961.
2. The Ahmedabad City Courts (Amendment) Bill, 1961.
3. The Bombay Judicial Proceedings (Regulation of Reports) (Gujarat Extension and Amendment) Bill, 1961.
4. The Bombay Public Trusts (Gujarat Amendment) Bill, 1961.
5. The Bombay Courts Fees (Gujarat Amendment) Bill, 1961.

Jammu and Kashmir

The J&K Limitation (Amendment) Bill, 1961.

Kerala

The Indian Easements (Extension) Bill, 1961.

Madhya Pradesh

1. The Madhya Pradesh Land Utilisation Laws Repealing Bill, 1961.
2. The Madhya Pradesh Second Extension of Laws Bill, 1961.

Madras

1. The Madras Aided Institutions (Prohibition of Transfers of Property) (Extension to Pudukkottai) Bill, 1961.
2. The Madras Estates (Supplementary) Amendment Bill, 1961.

Maharashtra

1. The Presidency Small Cause Courts (Maharashtra Amendment) Bill, 1961.
2. The Maharashtra Local Authorities Laws (Amendment) Bill, 1961.
3. The Bombay State Guarantees (Amendment) Bill, 1961.

Mysore

1. The Mysore High Court Bill, 1959.
2. The Mysore Ahyasanthana (Mysore Amendment) Bill, 1961.
3. The Indian Partnership (Mysore Amendment) Bill, 1960.

Orissa

The Angul Laws (Amendment and Validation) Bill, 1961.

Punjab

1. The Punjab Repealing Bill, 1961.
2. The Punjab Laws (Extension No. 11) Bill, 1961.
3. The Indian Easements (Punjab Extension) Bill, 1961.

Uttar Pradesh

1. The U.P. Laws Amending Bill, 1961.
2. The Criminal Laws (U.P. Amendment) Bill, 1961.

Parliamentary Affairs

Andhra

1. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1961.
2. The Andhra Pradesh Payment of Salaries and Removal of Disqualifications (Second Amendment) Bill, 1961.

Gujarat

The Gujarat Legislative Assembly Proceedings (Protection of Publication) Bill, 1961.

Madras

The Madras Payment of Salaries and Removal of Disqualifications (Amendment) Bill, 1961.

Orissa

The Orissa Offices of Profit (Removal of Disqualifications) Bill, 1961.

Rajasthan

The Rajasthan Legislative Assembly (Officers and Members Emoluments) Amendment Bill, 1961.

Social

Andhra Pradesh

1. The Andhra Pradesh (Andhra Area) Slum Improvement (Acquisition of Land)(Extension and Amendment) Bill, 1961.
2. The Usurious Loans (Andhra Pradesh Extension) Bill, 1961
3. The Hyderabad Money Lenders (Registration and Licenses Validation) Bill, 1961.

Jammu and Kashmir

The Jammu and Kashmir Criminal Law (Amendment) Bill, 1961.

Kerala

1. The Kerala Dramatic Performances Bill, 1961.
2. The Kerala Relief Undertakings (Special Provisions) Bill, 1961.

Madras

1. The Madras Hindu Religious and Charitable Endowments (Second Amendment) Bill, 1961.
2. The Madras Pawn Brokers (Amendment) Bill, 1961.

Mysore

1. The Mysore Prohibition Bill, 1961.
2. The Mysore Habitual Offenders Bill, 1959.
3. The Mysore Pawn Brokers Bill, 1961.
4. The Mysore Money Lenders Bill, 1960.

Orissa

1. Shri Jagannath Temple (Amendment) Bill, 1961.
2. The Orissa Prohibition of Smoking (In Show Houses) Bill, 1961.

Rajasthan

1. The Rajasthan Dramatic Performances and Entertainment (Amendment) Bill, 1961.
2. The Rajasthan Sagari System Abolition Bill, 1961.

Uttar Pradesh

1. The U. P. Famine Relief Fund (Amendment) Bill, 1961.
2. The U. P. Public Gambling (U. P. Amendment) Bill, 1961.

Transport and Communications

Mysore

1. The Mysore Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 1961.
2. The Mysore Ports (Landing and Shipping Fees) Bill, 1960.
3. The Mysore Public Conveyances Bill, 1961.

Uttar Pradesh

The Motor Vehicles (U. P. Amendment) Bill, 1961.

APPENDIX IV

Statistical Analysis of Bills passed by State Legislatures in India during the period 1st July to 31st December, 1961

Name of State	Administration	Commerce & Industry	Education	Finance	Health and Housing	Labour & Employment	Land & Agriculture	Legal & Constitutional	Parliamentary Affairs	Social	Religion	Transport & Communications	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Andhra Pradesh	8	2	1	5	2		7	4	2	3			34
Bihar	5	..	4	2	..	..	1	2	..	..			14
Gujarat	8	1	1	6	2	3	7	5	1	..		..	34
Jammu and Kashmir	1	..	1			..	1	1		1			5
Kerala	10	1	..	2		1	3	1	..	2	..	..	20
Madras	10	1	..	7		1	10	2	1	1	1		34
Madhya Pradesh	4		1	3		2	2	2	..			..	14
Maharashtra	7	2	2	5	..	2	4	3		..		..	25
Mysore	8	..	2	4	4		9	3	..	4		3	37
Orissa	4	2	2	10	1		4	1	1	2		..	27
Punjab	1		2	4			..	3	..	..			10
Rajasthan	4	2		4			3	..	1	2		..	16
Uttar Pradesh	3	1		4		1	1	2	..	2	..	1	15
All States	73	12	16	56	9	10	52	29	6	17	1	4	285

APPENDIX V

Ordinances issued during the period 1st July to 31st December, 1961 by the Central/State Governments

	Sl. No.	Subject	Date of Promulgation	Date on which laid before the House	Date of cessation	Remarks
1	2	3	4	5	6	7
Andhra Pradesh	1.	The Andhra Pradesh General Sales Tax (Amendment) Ordinance, 1961.	7-6-61	25-7-61	24-8-61	Replaced by legislation.
	2.	The Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands (Validation) Ordinance, 1961.	17-6-61	25-7-61	26-8-61	—Do—
Bihar		The Bihar Taxation on Passengers and Goods (carried by Public Service Motor Vehicles) Ordinance, 1961.	1-8-61	15-9-61	18-9-61	—Do—
Gujarat	1.	The Bombay & Saurashtra Agricultural Produce Markets (Gujarat Amendment and Validating Provisions) Ordinance, 1961.	24-6-61	29-9-61		—Do—
	2.	The Gujarat Contingency Fund (Amendment) Ordinance, 1961.	16-8-61	29-9-61	..	—Do—
Kerala	1.	The Kerala Hereditary Village Offices (Abolition) Ordinance, 1961.	22-8-61	13-11-61		—Do—
	2.	The Kerala Municipalities (Amendment) Ordinance, 1961.	30-8-61	13-11-61		—Do—
	3.	The General Sales Tax (Second Amendment) Ordinance, 1961.	9-11-61	13-11-61		—Do—

1	2	3	4	5	6	7
Madhya Pradesh		The Madhya Pradesh Horse Sickness (Amendment) Ordinance, 1961.	10-7-61	4-9-61	..	Replaced by legislation
Maharashtra . .	1.	Maharashtra Ordinance No. I of 1961—The Bombay Rents, Hotel and Lodging House Rates Control (Amendment) Ordinance, 1961.	10-7-61	14-7-61 (Assembly Table) 28-7-61 (Council Table)	7-9-61	—Do—
	2.	Maharashtra Ordinance No. II of 1961—The Bombay Contingency Fund (Amendment) Ordinance 1961.	18-7-61	18-7-61 (Assembly Table) 28-7-61 (Council Table)	6-9-61	—Do—
	3.	Maharashtra Ordinance No. III of 1961—The Poona Unclaimed Building Material (Disposal) Ordinance, 1961.	24-11-61	27-11-61 (Assembly Table) 30-11-61 (Council Table)	26-12-61	—Do—
Orissa . .		The Orissa Tenants Relief (Amendment) Ordinance, 1961.	29-6-61	23-8-61	25-9-61	—Do—
Punjab .		The Taiwara Township (Periphery) Control Ordinance, 1961	13-7-61	20-9-61	1-11-61	—Do—
Rajasthan .	1.	The Rajasthan Municipal Election (Validating) Ordinance 1961.	15-7-61	11-9-61		—Do—
	2.	The Rajasthan Excise (Amendment) Ordinance 1961.	16-7-61	11-9-61		—Do—
	3.	The Rajasthan Municipalities (Amendment) Ordinance, 1961	31-7-61	11-9-61		—Do—
	4.	The Rajasthan Panchayat Samitis and Zila Parishads (Amendment) Ordinance, 1961.	31-8-61	11-9-61		—Do—
Uttar Pradesh . .		The U. P. Sugar Cane Laws (Amendment) Ordinance, 1961.	14-11-61	14-11-61 (Assembly Table) 15-11-61 (Council Table)	27-12-61	—Do—